THE LAND-SYSTEM In South India

BETWEEN C. 800 A.D. AND 1200 A.D.,

(in the light of the epigraphic and literary evidence).

(THESIS APPROVED FOR THE DEGREE OF DOCTOR OF PHILOSOPHY IN THE UNIVERSITY OF LONDON, 1926)

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बक्यम् ह स्थल

Preface.

While placing before the public, this humble contribution to the study of the land-systems of ancient India, I am conscious of its shortcomings. The difficulties of seeing a work like this through the press are varied and many, specially as the author is separated from the publishers by hundreds of miles. Inspite of the best care and attention some errors have crept in, specially with reference to discritical marks. Still, my publishers have, I believe, acquitted themselves well, and my best thanks are due to them.

The 'Foreword' kindly written by Prof. Dr. L. D. Barnett indicates the importance of the subject, and the 'Introduction' explains the scope of the work. I shall regard my efforts amply rewarded, if the public find interest in it to any extent.

I am specially grateful to Dr. Barnett for his 'Foreword' and innumerable other acts of sympathy and kindness; and to my wife, Sabitri Gupta, for her invaluable help in correcting the proofs and preparing the index.

वकायेव जवने

Murarichand College, Sylhet (Assam). April 20, 1933.

K. M. G.



FOREWORD

It gives me great pleasure to see Mr. Gapta's able and thoughtful study of the ancient land-systems of Southern India presented to the public. It is a real contribution to the study of a profoundly important subject. India has practically always been a mainly agricultural country, and hence the land is and has ever been the heart of Indian life. Empires have risen and fallen, conquerors have passed across the stage of history in brief glory; but throughout all the vicissitudes of political and social change generations after generations of cultivators have kept the same even tenor of their way and peaceful industry and borne the main burden of supporting their country. To the conditions of these permanent basis of Indian social life Mr. Gupta has devoted careful study, and in my opinion he has thrown much useful light on them. Some of his views may perhaps be open to question, and naturally the work cannot and does not pretend to finality; but it may justly claim to have considered almost all the available materials requisite for the purpose and to have drawn thence fair and reasonable conclusions. I commend it to the attention of all who are interested in the welfare of India.

LONDON. British Museum. 1. 9. 28

L. D. Barnett.



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INTRODUCTION

The thesis proposes to deal with the Land-system in South India between c. 800 and 1200 A. D. in the light of the epigraphic and literary evidence. As the study of the subject involves a study of the past, I have tried as far as possible to give an adequate background to the subject covered by the thesis. To indicate the evolutionary features more clearly I have sometimes passed the limit of 1200 A. D. I believe this is the first attempt to study the subject systematically, and it seems necessary to say a word or two on the method of treatment.

I have treated land under four main divisions. namely, the habitat, the cultivable tracts, the general waste lands including the pasture-land, and the forest tracts. In the fourth chapter an attempt has been made to determine the exact position of the king with regard to land; and as a sequel to it, the next chapter deals with the nature of private ownership of land as well as the law of Prescription, as it obtained in Ancient India. The sixth chapter treats of land given as gifts. The seventh, eighth and ninth chapters respectively relate to the cultivable tracts, the waste-tracts and the forest-tracts. The last two chapters are concerned with the land-revenue administration and landtaxation. In every chapter either new facts have been brought to notice or an attempt has been made to study the known facts from a fresh view-point.

For materials of the work, relating to the period,

I have relied on the vast body of inscriptions from the South contained mainly in the Annual Reports of the South Indian Epigraphy, the South Indian Inscriptions edited by Dr. Hultzsch, the Epigraphia Carnatica edited by Mr. B. L. Rice, and the Epigraphia Indica. As to the literary evidence I have taken it for granted that the Mitakshara of Vijnanesvara, the Smriti-Chandrikā of Devaņabhatta and the Mānasollāsa, a work attributed to the reign of Someśvara III Chalukya (1126-1138) relate directly to our period. I have also drawn upon the vast body of the literary evidence in Sanskrit and Pali as well as upon the epigraphic records from the other parts of India, wherever they tend to throw some light on our subject or to afford opportunities for a comparative study. As in every statement the original sources have been mentioned at foot, it seems unnecessary to dilate upon them here.

The method of transliteration followed is that accepted by the Royal Asiatic Society of Great Britain and Ireland with however some accommodations, such as, Ch for C, Sh for S, and Ri for R. Well-known names have not been transliterated. The euphonic combinations (sandhi) have been sometimes separated to facilitate reading.

I am very grateful to Dr. L. D. Barnett for kindly helping me in my studies of the Tamil and Kanarese inscriptions and for kindly reading through the manuscript.

Abbreviations and Explanations.

Alt. Leb=Altindisches Leben (Zimmer).

Arch. Rep.=Archaeological Report of the Government of India.

Arth.=Arthasastra, edited by Shamasastri.

Arth. tr.=Arthaśāstra, translated by Shamasastri.

Ath=Atharva-veda.

Baud=Baudhāyana.

Br.=Brihaspati.

EC.=Epigraphia Carnatica, edited by B. L. Rice. The references are to translations.

EI .= Epigraphica Indica.

Ind. Ant.=Indian Antiquary.

Ins.=inscription or inscriptions.

Jat.=Jātakas, edited by Fausboll, and translation edited by Cowell.

Legge=Travels of Fa-Hien, translated by Prof. Legge.

LRT = A Short Account of the Land Revenue and its Administration in British India with a sketch of the land tenures (Baden-Powell).

LS.=Land-systems of British India (Baden-Powell).

LTMP.=Land Tenures in the Madras Presidency (Sundaraja Aiyer).

Lüders=List of Brāhmi Inscriptions (Epigraphia Indica, vol. X).

M=Manusamhitā.

Manual=Manual of Land Revenue System and Land Tenure (Baden-Powell).

Mc. Fr.=Mc. Crindle's Ancient India, Fragments.

MER.=Madras Epigraphist's Report=Annual Report of the South Indian Epigraphy.

Mit.=Mitāksharā (Collections of Hindu Law Texts Series, edited by Gharpure, No. 1. (1914) and no. 2. (1920).

Mys. Ins.=Mysore inscriptions.

Nar.=Nārada.

Orig,=Original Text.

RV.=Rig-veda.

Santi=Santi Parvan (Mahabharata)

SBE .= Sacred Books of the East.

SII.=South Indian Inscriptions (edited by Dr. Hultzsch).

Sm. Ch.=Smriti Chandrika by Devanabhatta (Vyava-harakanda).

Tait,=Taittirīya Samhita.

Tr.=translation.

TTMR.=Three Treatises on Mirasi Right, compiled by Brown.

Vaj.=Vājasaneyi Samhitā.

VC .= Indian Village Community (Baden-Powell).

Ved. Ind.=Vedic Index (Macdonell and Keith).

Vir.=Vīramitrodaya (Calcutta edition).

Viv.=Vivādarātnākara (Calcutta edition).

Viv. Ch. = Vivada Chintamani, translated by P. C. Tagore.

Vyav.=Vyavahāramātrikā of Jīmūtavāhana (edited by Sir Ashutosh Mukerjee).

Watters=Yuan Chwang translated by Watters. Yaj=Yājñavalkya.

CHAPTER I.

THE HABITAT—THE CITIES AND TOWNS.

In a treatise on land-system the habitat naturally occupies the foremost place. With regard to Ancient India it is of special interest as indicating certain evolutionary features. The study of our period cannot be complete unless these features have been set forth in their proper historical setting and bearing.

§ 1. The Villages of the Āryas as opposed to the Scattered Homesteads of the Dāsas.

The villages are copiously referred to in the Vedic literature. During the age of the Rig-veda the 'grāma' of the Aryas appears to have stood in contrast to the 'pur' (or, as in later times, 'pura') of the Dāsas. The word 'pur' occurs more than sixty times in the ten Mandalas of the Rig-veda. Sāyana explains it as meaning 'nagara' or city. But this interpretation is doubtful, and it is therefore proper here to determine the real nature of the 'pur' on the evidence of the Rig-veda. It appears that India of the age of the Rig-veda contained innumerable "pur's belonging to the Dāsas" or their chieftains. The most important and powerful of these chieftains was Sambara, son of Kulitara, who is credited with the possession of at least one hundred

See Rig-veda-padānām-anukramanikā (Nirnayasagara Press, Bombay) for grāma, loka and jana.

^{2.} See Ved. Ind., I. 538 (pur),

^{3.} RV., III, 12, 6; t. 103,3 etc.

^{4.} Ibid., IV, 30, 14.

"pur"s. He had an immense following, and he probably ruled over a region called Udavraja along with another ruler named Varchin. It was the Arya king Atithigva Divodasa who defeated him, apparently in one of his hill-forts or 'pur'4 and captured his ninety-nine "pur"s or "pura"s. Another Dasa chieftain named Vangrida possessed one hundred "puras". The Rig-veda mentions the names of innumerable other chiefs who probably possessed such "pura"s. That the "pur's were often, if not generally, situated on hills, is clear from the fact that Sambara was thrown down from such a place. The Panis and their probable leader Bala8 appear to have had strongholds on hills, The "pura"s are also spoken of as having been made of 'ayasa' or bronze¹⁰ and of 'asman' or stone.¹¹ These are also said to have had gates or doors, 18 and in them were hoard-

वकार्यच ज्ञान

^{1.} Ibid., VI, 31, 4.

^{2.} Ibid., VI, 47, 2.

^{3.} Ibid., VI, 47, 21.

^{4.} Ibid., I, 130, 7.

^{5.} RV., I, 53, 8; Ath., xx, 21, 8.

^{6.} RV., I, 103, 8; II, 19, 6; IV, 16., 12. 13; VI, 18, 8; VI, 26, 6; VII., 19, 4

^{7.} RV., I, 130, 7. Cf. VII, 18, 20.

^{8.} RV., VI, 39, 2. Cf. RV., VI, 18, 5. That the Panis were Dāsas, is clear from VII., 6, 3. As to the puras belonging to the Dāsas see also III, 12, 6; IV, 32, 10 etc.

^{9.} RV., X, 108, 7.

^{10.} RV., VII, 15, 14. Cf. VII, 3. 7;95, 1: See Ved. ind., I, 31.

^{11.} RV., IV. 30, 20. Cf. X, 68, 4.

^{12.} RV., VI, 18, 5, Cf. VI, 17, 6, See Ved. Ind. I, 368 (Dur).

ed the wealth of the Dāsas or Dasyus, consisting chiefly of cattle.¹ The Rig-veda does not tell us whether they were large enough to contain homesteads within. The "pur"s were apparently forts or defensive strongholds often situated on hills, and served as the repository of wealth of the Dāsas.²

It is indeed an interesting feature of the Rig-veda that the "pur"s are mentioned almost wholly in connection with the Dāsas and grāma, jana and loka in connection with the Āryas. In about three places, however, Agni or the fire-god is invoked to protect the worshippers within a "pura". This may only go to show how much the "pura"s were valued by the Āryas as defensive strongholds, or, that they were being adopted by the Āryas in their village system. The epithets 'Purandara', 'Purabhit' etc. meaning one who destroys a "pura" and applied to the Ārya god Indra, is also significant in this connection. Evidently the composers of the Vedic hymns made a distinction between the Dāsa "pura" and the Ārya 'grāma' or vill-

^{1.} RV., X, 108, 7. Cf. VIII, 40, 6., The word 'gopura' which now means a gate, may have originally implied a fort meant for cattle.

Zimmer takes "pur" to mean a citadel (burg), Pischel a town within wooden walls and ditches, and Messra Macdonell and Keith as ramparts, forts or strongholds. See Vedic Index., I, 539. Alt. Leb., 142.

^{3.} Cf. RV., III. 12. 6; IV, 32, 10; X, 99, 7.

^{4.} See Rig-veda-padānām-anukramaņikā.

^{5.} RV., VII. 15, 14; VII, 3, 7; VII, 16, 10.

age. It would not be unreasonable to assume that the Dāsas had no compact organisation of the habitat like the Arya nucleated village system, and had only scattered homesteads with defensive strongholds here and there mostly in the possession of their chiefs. This difference in the organisation of settlements accounts to some extent for the success of the Aryas over the Dāsas. Although the "pura"s taken by themselves were probably better adapted for defensive purposes than the villages, their capture unlike that of a village meant the conquest of a vast tract of land, of which they formed the strongholds.

§ 2. Later evidence on the non-Aryan origin of the "pura"s. The tradition about the non-Aryan origin of the "pur" or "pura" seems to have been preserved in later literature, as is proved by a reference in a passage in the Agni Purana. We are told that Maya the Danava, that is, a non-Aryan, had built a city in olden times. If the Dravidians, the Tibeto-Burmans, the Kolarians etc. represent the Dasas or Dasyus of the Rig veda, then we get interesting corroborative evidence even in modern times. In South Canara there are hardly any villages properly so-called plots of land are broken up for cultivation, and a family house is built upon one of them; the family and its estate form the unit of society. It is much the same in Malabar where the unit was a family settlement manag-

Meru-parvata-sankāśam Mayasy = āpi puram mahat.
 Pu hya saniyogamātreņa kālena sa Mayah purā. Calcutta Edition. Ch. 130, 11.

ed by a council of elders of the family. We are further told that in part of Madras known in ancient times as the Tondaimandalam I there were at first a number of kottams probably indicating a fort which was the seat of the territorial chief; each of these primitive territories was afterwards reorganised into nadu, and each nadu contained a number of villages called nattam or village site. 2 Baden-Powell lays stress on the absence of village-communities (in the sense in which it is used among the Aryans) in the land under the occupation of the Tibeto Burman group of peoples. We are told that "there is no word for 'village' in Assamese nor the older local dialects: the revenue term 'mouja' has been introduced solely for administrative purposes, and is used, in a quite local and special sense, to indicate a circle of holdings under one petty official charge". 8 About the Kolarians we learn that in the Udaipur state "they are now settled in little hamlets, each homestead being built on a separate hillock, so as to render it impossible for their enemies to surprise a whole village at once. By village is meant a group of such separate homesteads, which is called pāra or parra" 4 A possible relationship can thus be traced between the word para or parra and 'pur' of the Rig-veda. The word 'parha' is used by the Hos in

^{1.} LS. III, pp 147, 157.

^{2.} VC., 231.

^{3.} VC., 141.

^{4.} VC., 152.

the same sense. I myself have seen similar arrangement of homesteads among the Tipras and Kukis of the Tippera hills. As a matter of fact the 'Kumari' or 'Kumri', that is, shifting cultivation which was largely prevalent among the non-arrans, was not conducive to the growth of a compact village system. In the South Indian inscriptions a town is known as 'Ūr'. I am not sure if any connection can be traced between this word and the Vedic "pur".

The nucleated village system of the Aryas led to the growth of corporate life and division of labour, or, in other words, to the growth of the village-community among them. At the same time the "pura" organisation of the Dasas was being adopted. This probably accounts for the growth of so many cities as well as of the urban life in the succeeding ages.

§ 3. On the early method of selecting dwelling places. The Grihya Sūtras, which preserve
the Vedic tradition, give us an idea of the method of
selecting sites for dwelling purposes. The Āśvalāyana
Grihya Sūtra lays down that the ground selected for
constructing a house must be non-salinous and should
have herbs and trees. The Gobhila Grihya Sūtra
tells us that the soil should be 'compact, one-coloured,
not dry, not salinous, not surrounded by sandy
desert, not swampy.' The Aśvalāyana further goes

^{1.} VC., 155.

^{2.} See Ch. VII § 6.

^{3.} II, 7, 2, 3 (SBE., XXIX, p. 211).

^{4.} IV, 7, 8 (SBE., XXX, p. 120).

on: '(The householder) should dig a pit knee-deep and fill it again with the same earth: if the earth reaches out of pit, the ground is excellent: if it is level, it is of middle quality: if it does not fill the pit, it is to be rejected: After sunset he should fill the pit with water and leave it so through the night: if in the morning there is water in it, the ground is excellent: if it is moist, it is of middle quality: if dry, it is to be rejected'. 1

§ 4. Origin and growth of cities in later times. The post-vedic age is distinguished by a vigorous growth of cities and towns which were usually characterised by heavy concentration of people of diverse occupation, by strong defensive works around the boundaries, by their importance as administrative or military centres and by the prospects of trade and commerce they offered. The earliest glimpses of towns are probably to be met with in the Satapatha Brahmana, where we come across the names of at least two cities, namely, Asandhīvat, 2 probably the capital of king Janmejaya, and Parivakra, the capital of the Panchala kings. According to the Mahasudassana Jataka 4 there were eighty-four thousand cities with Kusavati at the head (apparently in Northern India) about the seventh century B.C. Though there may be a little exaggeration in this statement, it is however beyond doubt

^{1.} II, 8, 2, 3, 4, 5 (SBE., XXIX, p. 212).

^{2.} SBE., XLIV, 396.

^{3.} SBE., XLIV, 397.

^{4.} No. 95 (Fausboll's edition).

that the number of cities was very great. Megasthenes also speaks of the huge number of Indian cities. In tracing the origin and growth of these cities we notice the following processes of development:

In the first place, there were isolated "pura"s or fortresses in the midst of a collection of villages; these fortresses soon developed into cities and towns. An illustration of this kind of origin is furnished by the history of Pataliputra. According to the Mahaparinibbana Sutta * Ajātaśatru the king of Magadha, built a fortress at Pataligrama to check the advance of the Vajjis. This village and the fortress grew up into the city of Pataliputra in course of two generations 3 In the second place, many of the capital towns which in their beginnings were only big villages, were in course of time well-defended against enemies. The defensive works usually consisted of a ditch parikha) and a rampart (vapra). The city of Kusavati which was twelve leagues in length and seven in breadth and was surrounded by seven ramparts with four gates, 5 and the city of Mithila which was 'seven leagues in extent',6 may be regarded as early examples of this type. instance of such an origin of towns is furnished by the Jayaddisa Jataka. We are told that a certain king

^{1.} MC. fr. XXVI.

^{2.} I, 26 (SBE., XI. p. 18).

^{3.} See Smith's Early History of India (4th edition), p. 39.

^{4.} Arth. p. 51. Cf. M. IX, 289. Santi. LXXXVI, 6 MC. fr XXVI.

^{5.} Mahāsudassana Sutta, I, 3-6 (SBE., XI, 249-251)

^{6.} Gandhāra Jataka (No. 406).

"made a settlement on a certain mountain,...and forming a lake, prepared cultivable fields and bringing a thousand families with much treasure he founded a big village and instituted a system of almsgiving for the ascetics".1 This village, we learn, grew into a town. The town of Kammasadamma also grew out of a village.2 The growth of villages into towns is further shown by the fact that some terms while generally meaning towns or cities also mean villages, e. g., Sthaniya, Kheta, Pattana, Karvata, etc. The third way of the growth of cities was their direct establishment by kings. Chandragupta Maurya appears to have adopted a systematic policy in this direction. Thus it is that Megasthenes refers to the foundation of villages and towns on convenient sites. * Kautilya corroborates him. The king is directed not only to set up fortified towns as administrative centres in the kingdom, but he is also enjoined to construct forts in strategically important places which, in course of time, must have developed into cities or towns. The king is further directed to establish market-towns in places which were open to traffic both by land and water. Similarly, the Santi Parvan and the Manusamhita recom-

^{1.} No. 513.

^{2.} Mahāsutasoma Jataka (No. 537)

Vaijayantī by Yādavaprakāśa, p. 159, LL. 1-6 and p. 232
 L. 2, See also Mayamatam, Ch. IX.

^{4.} MC. fr. I, 8.

^{5.} Arth. pp. 46. 51.

^{6.} Arth. p. 47.

mend the construction of fortified places. The Santiparvan further enjoins that in times of war the king should transplant villages into suburban towns (śākhānagara). The Vishnu Samhita lays down that the king should settle in a district containing open plains, fit for cattle and abounding in grain and should reside in a stronghold.* These Sastric injunctions make it clear that every king had a choice as to the selection of a new site for his capital. He was not bound to retain a former capital as his own. Nor was it always possible. The conquest of a new territory or the loss of a portion of the kingdom occasioned the shifting of a capital. The pestilential condition of a city owing to overcrowding or other causes must have also led to its abandonment. On the authority of Fahien we learn that the city of Gaya was empty and desolate when he visited the place; Bodh-Gaya shared the same fate. Śrāvasti, so famous in the early Buddhistliterature, was inhabited by two hundred families only; and the equally famous city of Kapilavastu was

Santi, Ch. LXXXVII, 3-8 and Ch. LXXXVI, 5. 6. M. VII, 70, 71, 114.

^{2.} Santi, Ch. LXVIII, 37:

Ghoshān-nyaseta mārgeshu grāmān-utthāpayed-api pravešayechcha tān sarvān šākhā-nagarakeshvapi.

^{3.} III, 4-6 (SBE, VII, p. 14).

^{4.} Cf. the statement of Hiuen-Tsang: "As to their inhabited towns and cities the quadrangular walls of the cities are broad and high, while the thoroughfares are narrow tortuous passages." Watters, I, 147.

practically deserted. Kusinagara was not better. This is corroborated by another Chinese traveller who visited India about two hundred years later. Hiuen-Tsang tells us that in Magadha there were few inhabitants in the walled cities. The traveller also found Pāṭaliputra in ruinous condition.

The growth of the sub-urban areas of towns and cities was due to the policy of seggregation adopted by the higher castes or the king with regard to the people of lower classes. They were thus not allowed to live within the walls of a city. Kautilya enjoins the king to assign habitations to heretics and the Chandalas beyond the burial grounds.3 Workmen depending on cultivation also appear to have been residents of the borders of cities and towns as well as villages.4 According to the Uvasagadasao, there were five hundred potter-shops outside the town of Palasapura. Apparently these formed a suburban village or town of potters. The Vishnu Samhita refers to the low caste people (vāhya) as living outside the village. Nārada also refers to this fact. Hiven-Tsang tells us that 'butchers, fishermen, public performers, executioners and scaveng-

^{1.} Legge, Chh. XX, XXII, XXIV, XXXI.

^{2.} Watters, II, 86-87.

^{3.} Arth: pāshaṇḍa-chaṇḍālānām śmaśānānte vāsaḥ. (p. 56)

Arth. 56: Karmānta-kshetra-vašena vā kutumbinam sīmānam sthāpayet.

^{5.} VII, 181. 184.

^{6.} LIV, 15 (SBE, VII, pp. 176-177).

^{7.} XI, 3; XIV, 26 (SBE, XXXIII).

ers have their habitations marked by a distinguishing sign. They are forced to live outside the city."

Another factor that contributed to the growth of cities and towns, was the activity of the merchantguilds. The Mandasor stone inscription of Kumaragupta, dated about the latter half of the fifth century A. D., records how the city of Dasapura gained by the settlement of a guild of silk-weavers.2 As to South India, we sometimes hear of these guilds owning a city more or less completely. Thus, for example, the city of Kachchipedu (Kānchipuram) seems to have been mainly populated by guilds of weavers and artisans." On the authority of a body of inscriptions, we further learn that a body of merchants known as Vīra-Bananjus or Vīra-Balanjiyas (lit. Gentlemen Adventurers) possessed a number of Pattanas or trading towns, such as the Pattana of Hulgar. They were an important corporation of traders with their centre at Aiyavole (the modern Aihole), which was the seat of their 500 Svamis. Their organisation spread over a great number of cities in South India.4 According to an inscription of the time of Rajendra Chola I (tenth century), they converted a place named Kāttūr into Vīrapattana (Vīrapattina) by exempting its inhabitants from all

^{1.} Watters, I, 147.

^{2.} Gupta Ins. p. 79.

^{3.} SII. III, No. 128.

MER., 1905-6. pp. 11, 17 (nos. 180 and 275 respectively);
 1912-3, pp. 99-102; 1914-15, p. 102. EC., VII, pp. 89-90.
 Mys. Ins. pp. 73, 120, 123. Ep. Ind. XVI, p. 332; XIII, 16.

communal contributions, by entitling them to receive twice what they used to get till then in the matter of privileges, and by promise of good administration. They also converted two other places called Sīrāvalli and Muttukūru into Eri-Vīrapattanas.¹

§ 5. Classification of cities and towns. From what has been stated above it follows that the towns were great or small according as they went on growing continuously from the earliest times or owed their origin to later activities, and political and adminnecessities. The Maha-ummagga Jataka istrative thus draws a distinction between a city like Mithila and its four suburban 'nigamas' situated at its four gates.2 According to the Mahaparinibbana Sutta, there were some "great cities, such as Champa, Rajagaha, Sāvatthi, Sāketa, Kosāmbi and Benares" as against "this little wattel and daub town" of Kusinārā." An idea of their greatness may be formed from the huge dimension of this "little wattel and daub town," which was twelve leagues in length and seven in breadth.4 The statement of Megasthenes regarding the extensive area of Pataliputras goes to show that the descriptions are not much off the mark. Kautilya thus classifies the towns of this period:

^{1.} MER., 1912-13, p. 99-100.

^{2.} No. 546.

^{3.} V, 41. (SBE., XI, 99).

^{4.} Mahāsudassana Sutta 1, 4-6 (SBE., XI, pp. 249-250).

^{5.} See Smith's Early History of India, (4th Edition), pp. 127-128.

Sthānīya, i.e., cities with Sthānīya fortresses. These were, in the first place, at the head of eight hundred villages, and secondly, formed the capital cities of the kingdom or, of the provinces of the kingdom within the Maurya empire. Pāṭaliputra, Takshaśilā, Ujjaini and Suvarnagiri were probably examples of Sthānīya cities.

Dronamukha. It was at the head of four hundred villages and appears also to be a city with a harbour and to be like a Pattana. Bhrigukachchha and Tamralipti are suitable examples of such cities.

Khārvatika or Kārvātika. It was at the head of two hundred villages

Samgraha or Sangrahana at the head of ten villages.5

^{1.} Arth. 46.

^{2.} Arth. 51 : āpādya prasāro vā janapadamadhye samudayasthānam sthänīyam nivešayet.

^{3.} The Maurya empire during the time of Kautilya appears to have been divided into four provinces (cf. chaturdhā janapadam vibhajya...Arth. 141) and each was under a Sthānika (evañcha janapada-chaturbhagam sthānikaḥ chintayet. Arth. 142). Sthānikas were probably in charge of the sthāniyas (cf. evam durga-chaturbhāgam sthānikam chintayet. Arth., 144).

^{4.} Pataliputra was the imperial seat of government and the three other cities along with Tosali were the viceregal seats (Smith's Asoka, second edition, p. 93).

^{5.} Arth. 46. See also footnote. Jaina Sūtra (SBE., XLV,176).

^{6.} Jaina Sūtra, SBE., XLV, 176.

^{7.} Ibid.

^{8.} Arth., 46. M. uses the word samgraha (VII, 144).

Apart from this administrative organisation of towns, there were the Panyapattanas, commercially important places and open to traffic both by land and water. In addition to these, there were the frontier towns.² The town of Samapa referred to in one of the Kalinga edicts of Asoka, is a good example of such frontier towns. These were meant to keep in check the "unsubdued borderers." Apart from this administrative classification, Kautilya appears to have recognised a military classification of the frontier towns as well as of those within the kingdom. Thus we are told that there were the Audakas (water-fortresses), Pārvatas (mountain-fortresses), Dhanvana (desert-fortresses) and Vanadurga (forest-fortresses).4 In their beginnings, they were, of course, isolated fortresses like those of the Norman barons of the Welsh Marches, but in course of time they undoubtedly grew up into fortified towns in the midst of popular centres.5

The Santi Parvan and the Manusamhita evidently recognise a similar classification of towns, while describing the system of local government. There are however slight differences between these two treatises and the Arthasastra. Whereas in the Arthasastra

^{1.} Arth., 47.

^{2.} Ibid, 46.

^{3.} Amtānam avijitānam (Jaugada recension).

^{4.} Arth., 51.

Cf. Arth: Teshām nadī-parvata-durgam janapada-rakshāsthānam dhānvan-vanadurgam-atavī-sthānam.

^{6.} Santi, LXXXVII., 3-8, M., VII, 114-119.

a city is at the head of 800 villages, in the Santi Parvan and the Manusamhita it is at the head of 1000 villages. Further, in connection with this, Manu mentions "pura" and the Santi Parvan mentions 'sakhānagara' (a small town)2 in place of Kautilya's sthānīya.' According to Kantilya a 'sangrahana' was at the head of ten villages, while according to Manu 'samgraha's were at the head of 100 villages or multiples of this number. Kautilya's 'sangrahana' may be regarded as the same as Manu's 'samgraha', meaning a variety of fortified towns. The interpretation of 'samgraha', as given by the commentators, is vague and unsatisfactory. Similarly, 'gulma' of Manu (VII, 114) implies a kind of fortified post under the command of officers who were known as such (cf. gaulmika of the inscriptions). According to Manu thus the ad-

^{1.} M., VII, 110: Dasīkulantu bhunjīta vimšī panchakulāni cha grāmam grāma-satādhyakshah sahasrādhipatih puram.

Santi, LXXXVII, 8: Tatra hy-anekapāyattam rājño bhavati Bhārata sākhānagaram-arhas-tu sahasra-patir-uttamaḥ.

VII, 114: Dvayos-trayāṇām pañchānām madhye gulmamadhishṭhitam tathā grāma-satānāñ cha kuryyād-rāshṭrasya samgraham.

^{4.} Kullūka:...saingraham rakshyasthānam Medhātithi:...
gulmo rakshitri-purusha-samūhas-ten-aiv-adhishthitam
saingraham kuryyāt. Tady-uktam-adhishthātāram purusham kuryyāt. Adhikāri-saingraha ihochyate evam trayāṇām pañchānām cha. Athavā rājabhāvyārtha-grahanasthānam saingrahah. Rāghavānanda:...saingraham rakshya-sthānam.

ministrative classification was into 'pura's, which were of many varieties and which were above the groups of 1000 villages; 'samgraha's over 100, or multiples of 100 villages; and 'gulma's over two, three and five villages.¹ The Śānti Parvan and the Manusamhitā also recognise a military classification of the 'pura's. There were thus six kinds of fortified towns as against Kautilya's four.² With slight differences the Purāṇas follow the classification of 'pura's as given in the Manusamhitā.³

Yājňavalkya draws a distinction between a 'nagara' or city and a 'kharvaṭa' (a small town). The Uttarā-dhyāyana ſaina Sūtra differentiates between a 'nagara', where, according to the commentators, no taxes were levied: a capital (rājadhānī); a 'nigama', where many merchants dwelt; a 'palli', a settlement of wild tribes; a 'kheṭa', i.e., a place with an earthen wall: karvaṭa: 'dro-namukha'; 'matamba', a town more than 3½ yojana distant from villages; and a 'sambādha', the residence of the four castes in abundant number. A similar classification is given in the Divyāvadāna. We are told that the officers of a certain king named Kanakavarna,

^{1.} Cf. Santi, LXXXVII, 1-2.

M., VII, 70: Dhanvadurgam mahidurgam abdurgam värksham-eva vä nridurgam giridurgam vä samäsritya vaset puram. Santi, LXXXVI, 5-6.

^{3.} Matsya, Ch. 217, verses, 6-7. Agni, Ch. 222, verses, 4-5.

^{4.} II, 170 (Calcutta edition).

Jaina Sūtras (SBE., XLV, 176). See also the foot-notes.
 Cf. the notes given in Dr. Samasastri's Arthasāstra, p. 46.

in apprehension of a famine, collected food-materials into the villages and the different classes of towns such as nagara, nigama, karvața and rājadhānī.1 nasāra, a treatise on Hindu architecture of about the fifth century A. D., makes an elaborate classification of towns and fortresses. The towns are divided into eight classes, namely, rājadhānī, nagara, pura, nagarī, kheta, kharveta, kubjaka and pattana. The dimension of the smallest town-unit is 100 x 200 dandas and that of the largest town-unit 7200 x 14400 dandas (i.e., about 8½ miles by 16½ miles). A town, according to the Mānasāra, should be built near a river or a mountain and should have facilities for trade and commerce; like a village it should have walls, ditches, gates, drains, parks, commons, shops, exchanges, temples, guesthouses, colleges, etc. Forts are divided into eight classes, namely, śivira, vāhinimukha, sthānīya, droņaka, samviddha, or varddhaka, kolaka, nigama and skandhāvāra. The Manasara further classifies these forts according to their position, such as the mountain-fort(giridurga), forestfort (vanadurga), water-fort (jaladurga), chariot-fort (rathadurga), god's fort (devadurga), marsh-fort (pankadurga) and mixed fort (miśradurga). The mountain-forts are of three classes according as they are built on the top of the mountain, in the valley or in the slope of the moun-Mayamatam, a treatise of similar nature, makes a five-fold classification of villages and towns according to their size, namely, grāma, kheṭa, kharvaṭa, dur-

^{1.} Divyāvadāna, 292.

^{2.} A Summary of Mānasāra by Prasanna Koomar Acharyya, Ch. X.

ga and nagara. It also mentions sthānīya, dronamukha, nigama and pattana as other varieties of towns and fortresses.

The Sukranīti apparently identifies the administrative classification with the military, when it lays down that the rulers of 10, 100, 1000 villages are also commanders respectively of 100, 1000, and 10,000 troops. It is also noteworthy that the term 'sāmanta', which, according to earlier literature, implied a military officer in charge of the border districts, meant, according to the Sukranīti, a governor of 1000 grāmas.

It is thus clear from the above that a general classification of towns and villages was recognised throughout ages, firstly, on the basis of their administrative and commercial importance as well as on the basis of their size and population, and secondly, on the basis of their military fortifications. As all the cities and towns were not of the same value for military purposes, the second classification was of a limited nature.

The literary evidence as to the classification of towns and villages is corroborated by the epigraphic evidence. Thus a Kalachuriya inscription, dated 1181 A. D. tells us that the members of the Banañju-dharma (i.e., the Vīra-Balañjiyas) were residents of many

^{1.} Mayamatam, Ch. IX, 10ff.

^{2.} Ibid. Ch. IX, 122-123.

^{3.} Ch. V, 76-79.

I, 191: Sata-grāmādhipo yastu sopi sāmanta-samjñakah. sata-grāme chādhikņito-nu-sāmanto nripena sah, Cf. I, 184. Cf. Sānti. LXVIII, 10.

chief 'grāmas, nagaras, khedas, kharvadas, madambas, dronamukhas, puras and pattanas of Lāṭa, Gauda, Karnāṭa, Bangāla, Kāśmira and other countries at the points of the compass.'

§ 6. The administrative system of the cities and towns with reference to land. far as transactions relating to land were concerned, the administrative machinery of the towns and cities, especially of those under the control of the guilds, carried on its work on most republican lines like the assemblies of the villages (See Ch. III). We have no detailed information as to the constitution of the government of the cities, but it is likely that it was on the line of the government of the villages. According to Megasthenes the government of the city of Pataliputra was carried on by a municipal board of thirty members divided into six committees of five members each. Of these the first board looked after the industrial arts which, of course, included agriculture. In their collective capacity these boards were in charge of the general affairs of the city and looked after such things as the keeping of public buildings in proper repair, the regulation of prices, the care of the markets, harbours and temples.2 According to Kautilya a Nagaraka was at the head of the city; under him there were four divisional officers called Sthanikas, each in charge of a quarter of the city. Under each Sthanika were the

^{1.} EC. VII, 90.

^{2.} MC. fr. XXXIV.

several Gopas who looked after the affairs of 10, 20, or 40 families. These officers probably looked after the transactions regarding land. Manu enjoins the king to appoint one superintendent of all affairs (sarvarthachintaka) to look after the various officials of the city.2 The Santi Parvan also advocates the appointment of a 'Sarvarthachintaka' in every city by the king.* In the Nasika inscription of Ushavadāta4 we are told of a Nigamasabhā or Town assembly, in which the deed of gift of this prince was proclaimed and registered. The Damodarapura copper plate inscriptions nos. 1, 2, and 4 (dated in the fifth and sixth centuries A. D.) give us a little detailed account of the administration of a city named Koțivarsha, which was the seat of the district (vishaya) administration of the province of Pundrayardhana (North Bengal). The Vishayapati, also called the Kumārāmātya or Ayuktaka or the Adhikarana,6 was assisted in his work by an assembly consisting of the Nagara-śreshthi (the resident president of the merchant-guild. Cf. Nagarattar of the South Indian Inscriptions), Sarthavaha (representative of the travelling traders), Prathama-kulika (probably the representative of the village-assemblies) and the head scribe (Prathama Kāyastha) assisted by a record-keeper

^{1.} Arth. tr., Bk. II, Ch. 36.

^{2.} VII, 121.

^{3.} Ch. LXXXVII, 10.

^{4.} EI., VIII, 83.

^{5.} EI., XV, 130-140.

^{6.} Cf. the seal attached to plate no. 5 (El., XV, 115).

(Pustapāla) or head record-keeper (Prathama Pustapāla). So far as land was concerned this committee had the authority to sell land and ratify gifts. Thus, regarding the sale of some khila (cultivable waste) land, the first inscription records the transaction as follows:

A Brahmana named Kārpaṭika addressed the board thus: 'Deign to make a gift.....of khila land.....receiving a price at the rate of 3 dinaras for each kulyāvāpa (the area of land that could be sown with one kulyā of seed) for the convenience of my agnihotra-rites... to be enjoyed by me for ever': After the record-keeper had consulted the documents and recommended, 'Land may thus be given', one kulyāvāpa of land was granted to the Brahmana on receipt of 3 dinaras.

Similarly, inscription no. 4 records the sale of some building sites (vāstu) and the ratification of this 'gift' by the assembly. According to a Gwalior inscription dated 933 A. D. the town of Gopagiri (Gwalior) carried on its administration with the Koṭṭapāla (commander of the army) and a board (vāra) at its head. The board was led by a merchant and a trader. This inscription further tells us that the town owned considerable territories including some villages, arable land, and a pasture (hār).²

So far as our period is concerned, we learn from an inscription of the time of Uttamacholadeva that the government of the city of Kānchipuram was carri-

^{1.} Ins. no. 5, line 10.

^{2.} EI., I, 159.

ed on by the guild of merchants (nagara, nagarattar, managarattom). The president of guild was called the Mänagaramālvān. There was also an arbitrator (madhvastha) who apparently conducted the business of the local assemblies. The guild in this particular case at least chose the superintendent of the local temple as well as its watchmen and accountant. We further note that the chief merchant (nagaram-alvan), the Annual Supervision Committee (attai-variyam) and the residents looked into the accounts of the temple.1 In specially important cities the king appointed the accountant. Thus a Hoysala record of 1173 A. D. states that the king appointed the 'Srī-karana in such a wealthy treasury town'. We also hear of a committee of supervision for religious endowments, called Per-ilamaiyar which was responsible to the local assembly.3 The government of the town, as carried on by the board or guild, possessed lands of its own. The merchant-guild (nagarattar) of Mamallapuram jointly with the Perilamaiyar (Committee for supervising religious endowments) exercised the right of distributing the lands of the town.4 According to a Chola inscription the nagarattar of Ulagamadevipuram sold some lands to a person to enable the latter to make them over as a deva-The merchant-guild of Kachchippēdu (Kānchidāna.⁵

^{1.} SII. III. no. 128.

^{2.} EC., V. p. 139.

^{3.} SII., I, no. 40. See also MER., 1922-23, p. 104.

^{4.} SII, I, no. 40.

^{5.} MER., 1918-19, p. 60 (no. 141 of 1919).

pura), we are told, bought some lands from its citizens and then sold them for public purposes. 'We, the members of the great guild of merchants, sold with excess and deficiency in measurement the land lying east to the west in the field Lokamārāyappeuñjeru, which we had purchased from the citizens of this Kachchippēdu!1 As an instance of the guild's right of making a gift of land, we note that the nagarattar of Ulagamadevipuram voted an estate to furnish funds for feeding twenty-five Brahmanas in a hostel attached to a temple.2 The guild often looked after the local temple and its property and made proper arrangements with regard to their administration. The guild of the Vīr-Balanjiyas and its nagarattār took upon themselves the responsibility of maintaining a temple and its property. By way of remuneration one veli of land was assigned to each individual member of the guild and all of them thus agreed: We protect the villages belonging to the temple, its servants, property and devotees, even though in doing this, we lose ourselves or otherwise suffer. We provide for all the requirements of the temple so long as our community continues to exist: This agreement was concluded in presence of an assembly of royal ministers, leading members of the community and various other persons.3 The merchant-guild of Madurantakapuram apportioned the taxfree devadana lands of a local temple for the upkeep of religious services.4 The guild of Kachchippēdu exercised the right of exempting certain temple officials from the payment of taxes.5

^{1.} SII., III, no. 128.

^{2.} MER., 1918-19, p. 59 (no. 134 of 1919).

^{3.} MER., 1912-13, p. 101.

^{4.} MER., 1917-18, p. 16 (no. 193 of 1917).

^{5.} SII., III, no. 128.

CHAPTER II.

The Habitat (Introductory)-the Villages and the Village-communities according to the Literary Evidence and the Epigraphic Evidence specially of the North.

To indicate clearly the position of the villages of our period in the history of the land-system of Ancient India, it seems necessary at the outset to examine the position of the villages according to the literary evidence as well as the epigraphic evidence from the other parts of India. It will be seen in Chapter III that the institutions of the South, though essentially the same or nearly the same as those of the North, represent a greater advance in all respects.

§ 1. The Village-types of the Jataka period.

During the Jātaka period we notice at least three main types of villages, which we may designate as the Mixed types, the Special and the Sub-urban types, and the Border types. The first type may be said to consist of those villages which were occupied by people of different castes and occupations. These villages self-contained as they were, had well-organised communities (see below); and some of them dated from the Vedic age and some, in course of time, grew up into towns (Cf. Ch. I, §4). The Special and the Sub-urban types consisted of those villages which were occupied solely by particular communities, some of them spe-

cialising in some kinds of industry. Thus the Chullahamsa Jātaka speaks of villages inhabited solely by fowlers, the Chittasambhuta Jātaka of Chandāla villages, 1 the Suvannakakkata Jataka of Brahmana villages,* the Sattigumbha Jātaka of a village of 500 robbers,4 and the Rohantamiga Jataka and the Mora Jataka of villages of hunters. The Phandana Jataka refers to a village of carpenters.6 The Alinachitta Jātaka describes what the 500 families of carpenters (vaddhaki) of a village near Benares used to do: 'They would go up the river in a vessel, and enter the forest, where they would shape beams and planks for house-building, and put together the frame-work of one-storey or twostorey houses, numbering all the pieces from the main post onwards; these they then brought down to the river-bank and put them all aboard; then rowing downstream again they would build houses to order, as it was required of them." The Suchi Jataka tells us of a smith's village of 1000 houses in Käsi. The inhabitants of this village specialised in the manufacture of needles, razors, axes, ploughshares and other iron goods (vāsi-pharasu-phāla-pachanādi-karapanatthāya).8

^{1.} No. 533.

^{2.} No. 498.

^{3.} No. 389. See also the Kurudhamma Jātaka (no. 276).

^{4.} No. 503. Both in North and South India there are still villages inhabited solely by criminal tribes.

^{5.} No. 501 and 159.

^{6.} No. 475.

^{7.} No. 156.

^{8.} No. 387; Original Texts, III, p. 281.

In the Kulāvaka Jātaka we are told that in a village in Magadha, apparently near Rājagaha, the members of the 35 families of workmen, the sole residents of the village, 'used to get up early and sally forth with axes and clubs in their hands. With their clubs they used to roll out of the way all stones that lay on the four highways and other roads of the village; the trees that would strike against the axles of the chariots, they cut down; rough places they made smooth; causeways they built, dug water-tanks, and built a hall.'

The very character of the second type of villages made it essential that they should be situated near a big village of the first type or near a town, for, to satisfy the demands of daily life they must have depended on a contiguous town or a self-contained village. Thus the smiths' village referred to in the Suchi Jātaka was situated near another village. We are also told that there was a Brahmana village on the east side of Rājagaha, and that there was a village outside the gates of Benares, where a family lived on field-labour. Similarly, a Chandala village lay just outside Ujjaini.

The third type, namely, the Border villages (pach-

No. 31: Vāsi-pharasu-musalahatthā chatumahāpathādīsu musalena pāsāne ubbattetvā pavaṭṭenti, yānānam akkhapaṭighāta-rukkhe haranti, visamam samam karonti, setum attharanti pokkharaṇiyo khananti, sālam karonti... (Original Texts, I, p. 199).

^{2.} Suvannakakkata Jātaka (no. 389).

^{3.} Uraga Jātaka (no. 354).

^{4.} Chittasambhuta Jātaka (no. 498).

chanta-gāma), is copiously referred to in the Jātakas. Thus, for instance, the Sakuna Jataka refers to a border village in Kosala,1 the Makasa Jataka to one in Kasi, where a number of carpenters dwelt,2 the Brahachatta Jātaka to a border village that was situated near a forest and was inhabited by 500 ascetics.8 These border villages formed an important class of villages; and their organisation and establishment can be traced in the later periods as well. Though Kautilya does not directly refer to border villages, he speaks of the organisation of the border land under an 'antapala' or protector of borders. Under Asoka the border tracts were placed in charge of special officers called 'antamahāmātā,' i.e., Lords Marchers. The Santi Parvan distinguishes between pura (city), janapada (country or country-villages) and border tracts (samantarat).6 The Mahavamsa refers to a border village of the Vanga country and further tells us that king Sihabāhu of the Vanga country built a city on the border of his kingdom called Sihapura, and 'in the forest stretching a hundred yojanas around he founded villages." The

^{1.} No. 36.

^{2.} No. 44.

No. 366. Cf. Chaddanta Jātaka (No. 514), Panchupasatha Jātaka (no. 490), Losaka Jātaka (no. 41).

^{4.} Arth: Anteshv-anta-pāla-durgāņi (p. 46. See also p. 57).

^{5.} Pillar Edict No. I. See also the Kalinga Edicts.

^{6.} LXVIII, 10.

Ch. VI, p. 52 (Geiger's translation); Ch. VI, 35 (Original Texts).

Mahāvamsa thus incidentally indicates the origin of such villages as being due to the royal initiative. According to this chronicle, 'a son of the princess's uncle, a commander in the army of the Vanga king, was given the rule over the border country.'

These border villages and tracts of ancient times account for the existence of the Ghatwali tenure of modern times. By this 'a chief was allowed to take the revenue of a hill or frontier tract on condition of maintaining a police or military force to keep the peace and prevent raids of robbers on to the plain country below. The curious feature is that the benefit of the grant was distributed through all the grades of the military forces: the head chief got his (larger) share, and every officer, and every man of the rank and file, had his free holding of land.'2 We are further told: 'The lands held free on what is known as the Ghātwāli tenure in certain British districts originated in this way: the raja's rule had passed away, but the holders of land still remain, willing to perform frontier duty if required, but clinging to the privileged holding of land. Bengal such tenures were common along the frontier between the hill country and the plains of Birbhum and the Ganges valley. Similar tenures are known in Behar and elsewhere.18

Ch. VI, 15-16: Nivāsetvāna sākham te pachchanta-gāmam āgamum. Tathāsi rājadhītāya mātulassa suto tadā. Senāpati Vangarañño thito pachchantasādhane nisinno vaṭamule so kammantam samvidhāpayam.

^{2.} LRT., p. 119; LS. I, p. 582-587.

^{3.} VC., p. 158.

§ 2. The Mauryan Classification of villages.

The Mauryan government, as represented in the Arthasastra of Kautilya, apparently made a two-fold classification of the villages for the purpose of fiscal administration. Firstly, the villages were grouped into first, middle and lowest rank, apparently according to the number of tax-paying inhabitants, the caste of the people, the size and the commercial and industrial value. Secondly, the villages were distinguished under the following heads (Arth. p. 142):

Villages enjoying remission of taxes (parihārakam). These included certain newly-founded villages and villages granted as Brahmadeyas and the like. This group may have in certain cases included villages granted to royal servants, such as, superintendents, accountants, gopas, sthānikas, veterinary surgeons, physicians, horse-trainers and messengers, without the right of alienation by sale or mortgage. 5

Villages supplying soldiers or weapons of war (āyudhīyam). These, of course, included the industrial and the manufacturing types referred to in the Jātakas.

^{1.} Arth: Jyeshtha-madhya-kanishtha-vibhagena (p. 141).

Cf. Arth., p. 142: Teshu ch-aitāvach-chātur-varnyam-etāvantaḥ karshaka-gorakshaka-vaidehaka-kārukarmakaradāsaś-ch-aitāvach-cha dvipada-chatushpadam-idam chaisha hiraṇya-vishṭi-śulka-daṇḍas-samuttishṭhatīti.

Cf. Arth., 46: Niveśa-samakālam yathāgatakam vā parihāram dadyāt.

^{4.} Arth., p. 46,.

^{5.} Arth., 46.

Villages that paid as tax grains, cattle, gold and raw-produce, and that supplied free labour instead of taxes (Dhānya-paśu-hiranya-kupya-vishţi-kara-pratikaram-idam-etāvad-iti). These evidently included the purely agricultural types lying mostly within the royal domain (See below) as well as villages of low caste people. On the authority of the Arthasastra we learn that the Maurya government pursued a systematic policy of setting up purely agricultural types of villages tenanted solely by the people Sūdra caste. Says Kautilya, 'Villages should be consisting of from formed, each 100 to agricultural families of Sudra caste.' Men of low caste for such work were preferred on the ground that they were more efficient in manual labour than the high castes.2 Stringent measures were adopted to protect agricultural interests in these villages by way of forbidding impediments of different kinds, 'No ascetic other than one who has taken to the fourth stage of life, no association other than one of the same origin (i.e., of agricultural caste), no guild devoted to a different object (lit. resolution) other than a guild of the same nature (i.e., of agricultural kind) shall colonise a village of his (king's). Nor shall actors, dancers, singers, drummers, buffoons and bards shall disturb the work (of the villagers). On account of the isolation (lit. non-dependence) of the villagers, and devotion of the people to cultivation there will be growth of wealth.

Arth., 45: Śūdrakarshaprāyam kulaśatāvaram pañchaśatakulaparam grāmam....nivesayet.

Arth., 296: Tasyām chātur-varņyābhinivesam sarvabhogasahatvād-avaravarņaprāyasreyasī bāhulyāt dhruvatvāchcha.

labour, minerals, grains and drinks.1

This strict seclusion of the purely agricultural villages belonging to the Stidra families appears to be a Maurya innovation. It gave a distinct stamp to the agricultural folk as a whole, so that the Greek traveller Megasthenes was led to believe that husbandmen formed a distinct caste. Thus he says, 'The second caste consists of the husbandmen, who appear to be far more numerous than the others. Being, moreover. exempted from fighting and other public services they devote the whole of their time to tillage; nor would an enemy, coming upon a husbandman at work on his land, do him any harm, for, men of this class being regarded as public benefactors are protected from all injury. The land thus remaining unravaged, and producing heavy crops, supplies the inhabitants with all that is requisite to make life enjoyable. The husbandmen themselves, with their wives and children, live in the country and entirely avoid going into town." Megasthenes here simply echoes the voice of Kautilya who, being the author of a treatise on administration, gives us more details. One viewed the thing from outside and the other describes its practical working.

Arth., 48: Vānaprasthād-anyah pravrajitabhāvah sajātād-anya saighas-sāmutthāyakād-anya samayānubandho vā nāsya janapadam-upaniveseta. Na cha tatrārāma vihārārthah sālās-syuh naṭa-narttana-gāyana-vādaka-vāgjīva-na-kusīlava vā na karma vighnam kuryuh. Nirāsrayat-vāt grāmāṇām kshetrābhiratatvāch-cha purushāṇām, kośa-vishṭi-dravya-dhānya-rasa-viiddhir-bhavati. I have not followed here Dr. Sastri's translation which seems to be not very accurate.
 MC., fr. I.

The two accounts thus make it plain that during the Maurya administration the number of agricultural villages tenanted solely by the Sūdra caste greatly increased.

§ 3. The Village-types as described in the Manasara¹ and the Mavamatam. The village types described in these two treatises on architecture might not have been in actual existence, but they certainly represent the basic facts. The extent of villages or towns, according to the Manasara, admits of forty varieties, consisting of from 500 to 20,000 dandas (about 1000 yds. to 40,000 yds.) square, each variety exceeding the one immediately below it by 500 dandas. whole area of a village including the land belonging to it is divided into twenty equal parts, one being assigned for the occupation of the Brahmanas, six or more for the occupation of the other three classes, and the remainder for tillage. There are eight kinds of villages, namely, Dandaka, i.e., that which resembles a a staff; Sarvatobhadra, i.e., that which is happy in every respect; Nandyavarta, i.e., that which is the abode of happiness; Padmāka, i.e., that which has the form of a lotus flower; Sivāstika, that which resembles the mystical figure so named; Prastara, that which has the shape of a couch: Kārmuka, that which resembles a bow; and Chaturmukha that which has four faces. The type called Dandaka is specially inhabited by the Brahmanas. It contains 12, 24, 50, 108, 300 or more houses. The smallest containing 12 houses is called an 'āśrama' or hermitage and is to be situated near mountains and forests for the habitation of hermits (Cf. the hermitages referred to in the Grih-

^{1.} Essay on the Architecture of the Hindus by Ram Raj (1834).

ya Stitras. See Ch. IX § 2). The village containing 24 houses is situated on the banks of a river and is inhabited by the Yatis or holy mendicants. It is called a 'puram'. That containing 50 houses is occupied by those who have performed holy sacrifices or by householders in general; in the former case, it is called a 'puram' and in the latter 'mangalam' (Cf. the mangalams of the South Indian inscriptions. See Ch. III & 1). The village containing 108 houses is called Koshtham(cf. Kottam of South India. See Ch. 1 § 2). The Dandakas are said to be quadrangular and surrounded by a square The villages called Sarvatobhadra are also of quadrangular shape with a temple in the middle. Such a village is secured by a quadrangular wall and a ditch around it with four large and as many small gates. The huts of the Chandalas are to be a krośa distant from the village. The village called Nandyavarta is either square or oblong. This village is of two sorts, namely, mangalam and puram. The former is inhabited only by the Brahmanas and the latter by all classes indiscriminately. The other types differ from these three main types in their road-systems and the exterior shape.1 The Mayamatam classifies villages into first, middle and lowest ranks according to the size and number of Brahmana inhabitants.² A distinction is also drawn between a mangalam, puram, grāmam and matham. That which is full of Brahmanas is a man-

^{1.} For diagrams see Essay on Hindu Architecture.

^{2.} Ch. IX, 11 and 25.

galam, that which has the royal seat as well as merchants, is a puram and that which is inhabited by the people of low castes, is a grāmam. The habitations of the hermits are called mathas.¹ The Mayamatam also mentions the Nandyāvarta and the Sarvatobhadra.²

§ 4. The Village Organisation according to the Sukraniti. According to the Sukraniti a village is to be organised on the basis of revenue; and a grāma is thus defined: 'A grāma is that piece of land whose area is a krośa and whose yield is 1000 silver kārshā. Half of a grāma is called Palli and half of a Palli Kumbha'.3 This definition has apparently reference to the newly founded villages, for, the villages which grew up already on different lines from different causes could not possibly be re-shaped according to both size and the yield. Sukra further lays down that the village lands should be granted to all classes of men, high, middle and low. 'To the lowest class the land given should be 32 cubits in length and half of that in breadth; to the highest class double this measure, and to the middle class one and a half of that of the lowest class; the land in each case should be just adequate for the members of the family, neither more nor less.4

^{1.} Ch. IX, 49.

^{2.} Ch. IX.

Bhavet krośātmako grāmo r ūpyakarshasahasrakaḥ Grāmārddhakam pallisamjñakam pally-arddham kumbhasamjñakam. I, 193.

^{4.} Ch. V, 82. 83: Hīna-madhy-ottamānān-tu grāme bhūmim prakalpayet kuṭumbinām grihārthan-tu pattane-pi nṛipah

This injunction also apparently relates to the foundation of new villages with different caste of people with grant of appropriate house-sites. This type thus stands in contrast to the purely agricultural types described in the Arthasastra. It is further laid down that in such villages soldiers and other royal officials should not have their habitations, nor should they enter into a village except on royal duty.¹

§ 5. The Village-types referred to in the North Indian Inscriptions. The North Indian inscriptions refer to about four main types of villages. As these inscriptions directly relate to grants of villages as Devadāna, Brahmadeya etc., we shall do best to study the types on the basis of the nature of these grants. In the first place, we notice that some of the villages are granted as 'Agrahāras', i.e., as Devadānas (god's gift) or Brahmadeyas (Brahmin's gift) with only the right of enjoyment of the king's share of taxation (called the mēlvāram in the South) by the donee, either in entirety or partially. Examples of such villages are furnished by the Khoh Copper plate inscription of Mahārājā Hastin and Jayanātha, an inscription of Sivadeva of Nepal, the Barrackpur grant

sadā. Dvātrimsat pramitair-hastair-dīrgh ārddhā vistritādhamā, Uttamā dviguņā madhyā sārddhamānā yathārhata, kuṭumba-sanisthitisamā na nyunā vādhikāpi na.

Ch. V, 84: Grāmād vahir-vaseyus-te ye ye tvadhikritā nripaih, nripakāryyam vinā kaśchinna grāmam sainiko viśet.

^{2.} Gupta Ins., pp. 96, 122.

^{3.} Ind. Ant., IX, p. 175.

of Vijayasena1 etc. It is highly probable that in these villages the donees had no right of dispossessing the original tenants and residents so long as the latter duly paid the overlord's share. The Spurious Gaya copper plate inscription of Samudragupta lays down that the donee should not introduce any new tenants in the donated village.2 In the second place, some of the agrahāras were granted not only with the right of enjoyment of the king's share by the donee but also with the full right of ownership. Instances of such types are to be met with in the Bhavnagar plates of Dhruvasena I (529 A. D.)3, the Alina copper plate of Siladitya VII,4 an inscription of the Rathor king Dhruvaraja (9th century A. D.), an inscription of the Valabhi king Dhruvasena Iile etc. In these grants the donees were conceded the right of cultivating or of causing it to be cultivated or of assigning it to another. According to some of the South Indian inscriptions the donees had the right of evicting the old tenants.8 In the third place, we come across references to villages in which the lands of the villages were under the ownership of

^{1.} EI. XV, 278.

^{2.} Gupta Ins., 257.

^{3.} EL, XV, 256.

^{4.} Gupta ins., 193.

^{5.} Ind. Ant. XII, 181.

^{6.} Prāchīna-lekhamāla, II, 84.

^{7.} For example, the Alina copper plate referred to above.

^{8.} The Anbil plates of Sundara-Chola, (EL, XV, 70 ff.). See Ch. VI § 4.

the village-communities. Thus for example the East Bengal copper plate No. 1. states that the community of the village called Dhruvilati sold a piece of land to an individual named Vatabhoga.1 The Damodarapur copper plate inscriptions, especially No. 3, also point to the existence of the Communal village (See below). Many of the inscriptions which record grants of land are addressed to local bodies for their approval or for their information and instruction, which are indicated by the expressions: 'matam astu bhavatām' (let this be approved by you) or 'astu vah samviditam' (let this be for your information), Lastly, we come across instances of villages in which, though there were individual and family ownerships, the community nevertheless controlled the land, e.g., in the East Bengal plates Nos. 2 and 3.2

§ 6. The Different parts of a Village. During the Mauryan administration an account of the different parts of a village was kept by the local officers for the purpose of an accurate assessment of taxes (See Ch. X § 2). These different parts were the cultivated plots of land, the uncultivated plots, plains (sthala), wet lands kedāra), gardens, vegetable gardens, fenced plots (vāṭa), forests, altars, temples of gods, irrigation works, cremation grounds, feeding houses, places where water is freely supplied to travellers (prapā), places of pilgrimage, pasture ground, roads, boundary plots, threshing

^{1.} EI., XV, 136.

^{2.} Ind. Ant. Vol. XXXIX, 195-214.

^{3.} Arth. 142.

floors (khala), house sites (veśma) and stables of conveyance-animals or beasts of burden (vāhana-koshṭha).¹

The North Indian inscriptions also refer to the different parts of a village. Thus the grants made by kings or their ministers and other persons usually consisted of the village proper or the habitat, implying thereby the house-sites (Cf. nattam of the South Indian inscriptions) and the adjoining lands, the low lands (tala), the high lands (uddeśa), the market-place, plain land and water-reservoirs or marshy lands (jalasthala), the pasture land (go chara, go-vāta), fenced plots (vāța), ditches, trenches or drains, sterile lands (ushara), forest lands (aranya) and cultivable lands.2 The low lands are apparently called 'tala-pataka,' as in the Khalimpur inscription, or 'talapadraka', as in a Chalukya inscription4 (lit. the lower part of a village). The high lands apparently included the embankments, the earthen mounds around a village,5 the ridges between the cultivable fields etc. The plain lands and the water-reservoirs may be said to have included wells with flights of stairs (vāpī), an ordinary well (kūpa), a tank (tadaga), garden on the banks of water-reservoirs (kachchhārāma), cottage garden (bhrishti or bhrishtika), orchards with trees like Madhūka, mangoes etc., an enclosed space (vāṭa) etc. The pasture (gochara)

^{1.} Arth. 169.

^{2.} See Ind. Ant. LI, 73-79.

^{3.} Gauda-lekhamālā, p. 33 (11. 52-53). EL., II, 347.

^{4.} Ind. Ant. XII, 201.

^{5.} Cf. Manu. VIII, 247.

which was the public pasture land, and the private or unenclosed pasture land (tṛiṇa-yūti).¹ The khila lands should not be confused with the sterile lands (ushara). Some of the villages had outlying portions called 'pāṭakas'. Thus an inscription of Jayachandradeva dated about the beginning of the thirteenth century A. D. states that the king granted the village of Godanti with its two pāṭakas called Gauṭiāmauyī and Nītāmauyī.²

§ 7. The Village communities according to the Literary evidence. The Indian Village-communities are traditionally known to have been self-governing units. So far as the ancient history of South India is concerned, we have ample evidence in support of this, but with regard to the history of the North there is unfortunately some dearth of information, though it is believed that the South Indian institutions came from the North. In the light of what little evidence there is of the village communities of the North, we come to learn that these institutions dated from a very early time though their exact functions are not clearly known.

The Rig-veda and the Brāhmaņas mention the headman of the village (grāmaṇī). He was probably the executive head of the village assembly (sabhā).

^{1.} Ind. Ant. LI, 74-75.

^{2.} Ibid. XVIII, 135. Prof. Kielhorn explains the terms as implying a kind of hamlet.

^{3.} See Vedic Index I, 247.

^{4.} Ibid., I, 247; II, 427.

The Jatakas refer to the headman generally under the designation 'gāmabhojaka.' The Kulāvaka Jātaka refers to gamabhojaka who used to make money in sinful ways and who tried to harass thirty innocent According to Prof. Rhys Davids, 'from the fact that the appointment of this officer is not claimed by the king until the later law-books it is almost certain that in earlier times the appointment was either hereditary or was conferred by the village council itself.'s The villages of the industrial type appears to have had an elderman (jetthaka) as the head. Thus, for instance, the Suchi Jataka tells us that there was a 'jetthaka' at the head of the village of 1000 blacksmiths.4 The headman appears also to have been sometimes a nominee of the king even during the Jataka period. According to the Kharassara Jataka the king appointed an 'amachcha' (minister) as the headman of a village and the latter-collected the revenue (bali) from the village on behalf of the king. In the Gāmani-Chanda Jātakas we are told that an officer named Chanda after retiring in old age from service took to farming in a village; the king later on made a grant of this village to him as a Brahmadeyya (full

^{1.} Vol. I, p. 354 (Original texts).

^{2.} No. 31.

^{3.} Buddhist India, 48.

III, p 281: Tattha kammāra-sahassassa jetthaka-kammāro raja-vallabho addho mahaddhano...

^{5.} No. 79.

^{6.} No. 257.

gift). Chanda thus naturally became the headman of the village. The Kurudhamma Jataka tells us that king Kālinga of Kālinga summoned eight Brahmanas from a Brahmana village to send them on a mission concerning the welfare of the whole country.1 The Mahaassaroha Jātaka tells us that the thirty villagers of a border village met together 'to transact the business of the place.'2 This distinctly shows that local affairs were managed by the community of the village. The Kulāvaka Jātaka referred to above tells us that the members of the thirty families of a village met in the middle of the village to transact affairs of the village (gamamajihe thatva gamakamman karonti). We further learn that they kept the roads in repair, cut down trees that obstructed traffic, constructed causeways (setu), dug water-reservoirs (pokkharani), and built a hall. Prof. Rhys Davids believes that there was no proprietory right, as against the community. He further says: 'We hear of no instance of a shareholder selling or mortgaging his share of the villagefield to an outsider; and it was impossible for him to do so, at least without the consent of the village council.74

^{1.} II, p. 368 (Original text). The main text mentions 'brāhmaṇa-gāmato', but the variant is 'brāhamaṇagaṇato' which suggests a corporate body.

^{2.} III, p. 8 (Original text); Te pāto va gāmamajjhe sannipatitvā gāmakicheham karonti.

^{3.} No. 31 (Original text, I, 199).

^{4.} Buddhist India, 46.

The Dharma Stitras refer to village elders and apparently to the village assemblies. According to the Apastamba Dharma Sūtra the king is to appoint men of the first three castes over villages and towns for the protection of the people; they must protect the country to the distance of one krośa from each village; they are also to collect the lawful taxes.1 Baudhāyana refers to an assembly of ten persons, which may or may not refer to the village assembly of elders. 'Four men, who each know one of the four Vedas, a Mimārrsaka, one who knows the Augas, one who recites (the work on) the sacred law, and three Brahmanas belonging to three different orders, constitute an assembly (parshad), consisting at least of ten members (dasa-Gautama has the following injunction: vara).'2 'They declare that an assembly (parishad) shall consist of at least the ten following members, namely, four men who have completely studied the four Vedas, three men belonging to the three orders enumerated first, and three men who know three different institutes of law.'3 It may refer to a religious assembly, but on the analogy of the South Indian inscriptions where such qualifications for membership of the village assembly are wanted, it seems that this passage refers to a village assembly. It is probable that these village

^{1.} II, 26, 4-9 (SBE., II, pp. 163-164).

^{2.} I, 1, 1, 8 (SBE., XIV, 144).

^{3.} XXVIII, 49 (SBE., II, 310).

^{4.} See Ch. III § 6.

bodies controlled the village affairs concerning houses, fields etc. Vasistha thus lays down: In a dispute about a house or field, reliance may be placed on the depositions of neighbours: if the statements of the neighbours disagree, documents may be taken as proof: if conflicting documents are produced, reliance may be placed on the statements of aged inhabitants of the village or town, and on those of guilds and corporations of artisans or traders."

Kautilya refers to the headman (grāmika) as well as to the village-elders (grama-vriddhah), who apparently constituted the local assembly. But we are not told if the headman was a nominee of the king or an elected officer of the village. From the silence of Kautilya on this point, it may be conjectured that he was either hereditary or elected by the villagers themselves. The headman appears to have co-operated with the Gopa, a royal official in maintaining the village register, which contained a full description of the different tax-paying and non-tax-paying parts of the village, a record of gifts, sales, charities and remission of taxes and other relevant details.2 Kautilya enjoins: 'When the headman of the village has to travel on account of any business of the whole village, the villagers shall by turn accompany him: those who cannot do this shall pay 11 panas for every Yojana.'3 This shows that the headman was assisted

^{1.} XVI, 15 (SBE., XIV, 81).

^{2.} Arth. Bk. II, Ch. 35.

^{3.} Arth., 171 (tr. Bk. III, Ch. X).

by the villagers or rather the representatives of the villagers in matters touching the whole village. The village elders, apparently with the 'grāmika' at the head, looked after the local administration. So far as affairs touching land were concerned, we notice them, in the first place, taking charge of property of the infants or minors and improving it. Secondly, they looked after the temple-property (deva-dravyam)² 'In the absence of claimants to dilapidated religious buildings, villagers or charitable people may repair them.' Thirdly, they conducted the sale of buildings of different kinds, fields, gardens, lakes or tanks etc. The property on sale was very accurately described, so that the buyer could know exactly what he was going to buy; and the sale was by auction.4 Fourthly, they decided disputes concerning boundaries of different kinds of land within a village as well as those between two or more village in conjunction with the elders of other villages. They also punished those who made encroachments upon the boundary-areas or destroyed the boundary-marks. With regard to the settlement

Arth., 48: Vāladravyam grāma-vriddhā varddhayeyurā vyavahāra prāpaņāt.

^{2.} Arth., 48.

^{3.} Arth., 171 (tr. Bk. III, Ch. X).

^{4.} Arth., 168: Sämanta-grāma-vriddheshu kshetrārāmam setubandham taṭākādhāram vā maryyādāsu yathāsetubhāgam 'anenārghaṇa kaḥ kreṭa' iti trirāghushita-vitamavyāhatam kretā kretum labheta.

^{5.} Arth., (tr.) Bk. III, Ch. 9.

of disputes concerning fields, we learn: 'If they are divided in their opinion decision shall be sought for from a number of pure and respectable people, or the disputants may equally divide the disputed holding among themselves." They distributed among the villagers a holding which remained without an owner or a claimant.2 They also adjusted the rent payable by a cultivator to the owner of the field. This is clear from the following: 'Occupation on a holding by force shall be punished as theft. If a holding is taken possession of by another on some reasonable grounds, he shall be made to pay to the owner some rent, the amount of which is to be fixed after mature considerations of what is necessary for the subsistence of the cultivator of the holding by him.'8 On behalf of the village they apparently looked after the work done by the newly engaged cultivators, as is clear from the following: 'The fine levied on a cultivator who, arriving at a village for work, does not work, be taken by the village itself." In the fifth place, the village elders seem also to have looked after the pasture-lands, the high roads, cremation grounds, sacrificial places, places of pilgrimages and the hermitages in (the local) forests.⁵ Lastly, they looked after the

^{1.} Arth., 169.

^{2.} Arth., 169. (tr. Bk. III, Ch. IX).

^{3.} Arth. 169.

^{4.} Arth., 173: Karshakasya grāmam-abhyupety-ākurvato grāma evātyayam haret.

^{5.} Arth., (tr.), Bk III Chh. IX, X. These two chapters

local irrigation works and tanks and reservoirs. In connection with this they probably co-operated with the central government in matters relating to remission of taxes on lands below such constructions.

According to the Santi Parvan the village headman was a nominee of the king.3 Manu is also of the same opinion.4 He further lays down that there should be an assembly consisting of either at least ten. or of, at least, three persons and that their decision should have the force of law. "Whatever an assembly, consisting either of at least ten or of at least three persons who follow their prescribed occupations, declares to be the law, the legal (force of) that one must not dispute." Further, 'Three persons who each know one of the three principal Vedas, a logician, a mimamsaka, one who knows the Nirukta, one who recites the institutes of the sacred law and three men belonging to the first three orders, shall constitute an assembly consisting of at least ten members.'6 The local authorities apparently decided disputes concerning the boundary marks of fields, wells, tanks, as well as con-

apparently relate to the local government as carried on by the village bodies.

^{1.} Ibid.

^{2.} Ibid.

^{3.} Ch. LXXXVII, 3.

^{4.} VII. 115-117.

XII, 110: Daśāvara vā parishadyām dharmam parikalpayet, tryavarā vāpi vrittasthā tam dharmam na vichālayte.

^{6.} XII, 111.

cerning gardens and houses.1 The king interfered when the local authorities failed to come to a decision.2 Yājňavalkya also refers to the village headman3 and enjoins: 'Men versed in law, irreproachable, free from avarice should be appointed to consider the business of a public body: what they say ought to be executed, as they issue commands for the benefit of the body. The same law prevails in the case of Śrenis, Naigamas, Pakhandins and Ganas. A king should preserve their peculiarities and conserve their practices.'4 In this evidently there is a reference to the community of the village. We further learn that in disputes regarding the boundaries of fields the local bodies composed of the neighbours (samantah) and others, herdsmen, neighbouring cultivators and foresters, had the power of decision. Vish nu enjoins the king to appoint headmen of villages. According to Narada, 'In all quarrels regarding landed property or boundaries the decision rests with the neighbours, the inhabitants of the same town or village, the other members of the same community and the senior inhabitants of the district. This clearly indicates that the commu-

^{1.} VIII, 262.

^{2.} VIII, 259, 265.

^{3.} II, 274.

^{4.} II, 191-192.

^{5.} II, 150: Sīmno vivāde kshetrasya sāmantāh, sthavirādayah gopāh sīmā krishāņā ye sarve cha vana-gocharāh.

^{6.} III, 7 (SBE., VII, 15).

^{7.} XI, 2. (SBE., XXXIII, 155).

nity of the village decided cases touching the village lands, that is, with regard to dikes or bridges, fields, boundaries, cultivated tracts, and wastes. Brihaspati seems to refer to the community of the village in the following injunction: 'A compact formed among villagers, companies (of artisans) and associations is called an agreement; such an agreement must be observed both in times of distress and for acts of piety." We are further told that 'he who fails in his agreement, though able to perform it, shall be punished by confiscation of his entire property, and by banishment from the town." To show the binding authority of the local bodies Brihaspati lays down: 'Whatever is done by those heads of an association whether harsh or kind towards other people, must be approved of by the king as well; for, they are declared to be the appointed managers of affairs." From Brihaspati we further learn that the village community had a smaller body of advisors. 'Two, three or five persons shall be appointed as advisors of the association: their advice shall be taken by the villagers, companies of artisans, corporations of co-habitants and other fellowships.' As to the powers of the community, we learn: 'In disputes regarding a house or field, the decision belongs to the neighbours, as well as to the inhabi-

^{1.} XI, 1. (SBE., XXXIII, 155).

^{2.} XVII, 5. (SBE., XXXIII, 347).

^{3.} XVII, 13. (SBE., XXXIII, 347-348).

^{4.} XVII, 18. (Ibid).

^{5.} XVII, 10. (Ibid).

tants of that town or village, or to members of the same society, and to the elders of that district.' It is only in cases of dispute between the heads and the people that the king interfered. The Sukranīti mentions six officials that conducted village affairs, namely, the headman, the superintendent of police or justice (sāhasādhipa), the collector of the land-revenue, the clerk, the collector of tolls and the watchman. It is further laid down that the king should appoint officers called 'Grāmapas' (i. e., headmen) by paying one-sixteenth, one-twelfth, one-eighth, one-sixth of his own receipts. All these village officials appear to be appointed by the king. The villages having these royal officials are to be distinguished from those in which there is to be no royal officials.

The literary evidence thus makes it clear that the community of the village dating from a very early time, was constituted of a village headman and an assembly, and that it carried on the local administration with special reference, so far as our subject is concerned, to land.

^{1.} XIX, 8.

XVII, 20: Mukhyaiḥ saha samūhānām visamvādo yadā bhavet tadā vichārayed-rājā svadharme sthāpayech-cha tān.

II, 120: Sāhasādhipatiñchaiva grāma-netārameva cha, bhāgahāram tritīyan-tu lekhakañ-cha chaturthakam, śulkagrāham pañchamañ-cha pratihāram tathaiva cha.

^{4.} Ch. IV, § 2, 126.

^{5.} Ch. V, 84. See Ch. II § 4.

§ 8. The Village=communities and their functions according to the Epigraphic evidence especially of the North. The Prakrit inscriptions refer to the headman under the designations 'grāmika', 'gāmabhojaka' and 'gāmanī', and to a committee under the name 'gotthi' or 'gotti' which probably corresponded to the village assembly. be noted in this connection that in Nepal temples and temple-estates were administered by committees called 'gutthi." An inscription from Mathura records the setting up of an image by the wife of 'grāmika.'2 Another inscription from the same place refers to a worker in metal as being a member of the 'gottika.'3 Bhattiprolu casket inscription also speaks of the committee (gothi) of the inhabitants of Nigamaputa.4 The Elura copper plate inscription of Vijayadevavarma records an announcement of the villagers of Elūra of a gift of land (Brahmadeya) by the king. A Pallava inscription records the order of a queen to the official at Kataka, concerning the gift of a field to a god. 'The village authorities (gāmeyika āyutta) were to exempt the field with all immunities.'6

The North Indian inscriptions in Sanskrit dating

^{1.} Ind. Ant., IX, p. 171, foot-note 26.

Lüders, List of Brāhmī Ins. 69a. (EL, X, 168); see also no. 48 and no. 1200.

^{3.} Ibid., no. 53; see also nos. 273, 1333.

^{4.} Ibid., no. 1335. Cf. 1332.

^{5.} Ibid., no. 1194.

^{6.} Lüders, List of Brāhmī Ins. no. 1327 (EI., X).

from about the fourth century A. D. not only refer to the village-headman, but also to the assembly, which seems to have consisted of the 'mahattaras' or village elders, and to certain smaller bodies called 'pañchamaṇḍalī', 'pāñchālika', 'pāñchālī' or 'pañchālī' (See below). The inscriptions also refer to the various officials of a village such as Adhikārika, Pustapāla, Kāyastha, Karana etc. The Adhikārika officials seem to be connected with both the village and the district. It is likely that the word 'adhikarana', used in the sense of both an official and the administration carried on in the district or the village, is only a variant of ādhikā-

Bhumarā Stone Pillar Ins. (See Gupta Ins.), Gurjara and Rāthor ins. (Ind. Ant., VII, p. 248 foot-note 13), Damodarapur ins. (EI., XV, 136) etc.

^{2.} Damodarapur ins. (EL., XV, 136 ff), Deo-Baranark ins. (Gupta ins.), Pel ins. (Gaudalekhamālā) etc.

^{3.} Sanchi Stone ins. of Chandragupta II (see Gupta Ins.), Ins. from Nepal (see Ind. Ant., IX, 168-177).

^{4.} Ind. Ant., XIII, 90; VII, 248, note 13.

^{5.} Damodarapur copper plate ins. (EI., XV), East Bengal Copper plate ins. (Ind. Ant., XXXIX, pp. 195-200). The village pustapālas were apparently under the Prathama-Pustapāla (Damodarapur ins. no. 5) attached to the district.

Ibid., The village käyasthas were apparently under a head käyastha (prathama or jyeshtha käyastha). See Pal Ins. (Gauda-lekhamālā).

^{7.} See Ind. Ant, VII, p. 248, note 13.

^{8.} Cf. Ind. Ant., XXXIX, p. 195, line 4 of the ins.; EI, XV, 130, line 4.

rika. The Adhikārika or the Adhikaraṇa appears also to be the same as the Adhikārin of the South Indian inscriptions where we learn that they served as a connecting link between the central government and the local governments. An inscription from the Central provinces dated 1111 A. D. mentions 'adhikārin', evidently as a royal official. The functions of the Karaṇa are not known, but if he is the same as the 'karaṇan' of the South Indian inscriptions, then his duty was to keep accounts. From the vast body of the North Indian inscriptions representing the different parts of India, we learn that the greater body of the village-community consisted of the householders of the Brahmana and other castes as well as the artisans.

The village community thus constituted had extensive powers over the lands of the village, some of the communities exercised joint ownership of the lands of the village. According to an East Bengal copper plate inscription dated in the sixth century A. D. an indivi-

MER., 1921-22, pp. 101-2 (no. 239 of 1922). See Ch. III § 8.

^{2.} EL, IX, 315, line 36b.

^{3.} EL., IX, 314, line 25; Khalimpur ins. (Gaudalekhamālā).

^{4.} In later times the word 'Karana' implied a department of government. See Lekhāpaddhati (Gaekwad's Oriental Series), p. 97.

⁵ Brāhmanādīn-kuṭumbinaḥ Kārukāṁścha (Gupta Ins., p. 122). See also Khoh copper plate ins. (Gupta ins.), Deo-Baranark ins. (Gupta Ins.), Damodarapur ins. (EL, XV), etc.

dual named Vātabhoga thus addressed the assembly of the Mahattaras and common folk including the artisans (Prakritayah): 'I wish to buy a parcel of cultivated land from your honours and to bestow it on a Brahmana; therefore, do ye deign to take the price from me, to divide the land in the district and to give it to me? Thereupon, the assembly thus agreed: 'Wherefore we, giving heed to this request and being unanimous, determined the matter by a determination by the keeper of the records (pustapala), Vinayasena. There is in this district the rule established along the eastern sea that cultivated lands are things which are sold according to the rate of the sum of four dinaras for the area that can be sown with a kulya of seed, and that the evidence of a sale is by the custom of giving a copper plate, which custom applies immediately on seeing the counting made for the parcel of cultivated lands of such and such sowing area; and, then, the feet of the emperor receive the sixth part of the price according to the law here. Therefore the agent Vatabhoga, having adopted this procedure, and having by tendering the deposit (complied with it) by the act as well as by the intentions of one who has desired to establish the fame of his own merit, and having paid twelve dinaras in our presence-we, having severed the land according to the standard measure of eight reeds in breadth and nine in length by the hand of Sivachandra, have sold to Vātabhoga a triple kulyā-sowing area of cultivated land in Dhruvilati by the custom of the copper plate.' So far, the sale of the land only is recorded. The inscription further records the ratification of the gift of this piece of land by the assembly. 'This very Vātabhoga, who desires benefit in another world as long as this land shall be enjoyed while the Moon, the stars, and the sun endure, has joyfully, for the benefit of his own parents, bestowed the land on Chandrasvāmin-Therefore the kings who are neighbours to the above mentioned grant,-must scrupulously safeguard this gift of land.1 This inscription is quoted at length to show the procedure adopted by the village assemblies in connection with the landtransactions. It is clear from this that the intending purchaser of a piece of land had first to apply to the village assembly which thereupon, ordered the recordkeeper to determine the details regarding the situation, price etc. with reference to the land.2 Then finally, the sale was effected after the buyer had paid the customary price as well as the share of the king. Such transactions apparently took place in the presence of the Adhikaranaka or an Adhikarana officer who, as the royal agent, looked after the interest of the king.3

Even when the lands of the village were individual or family property the communal assembly had the right to control their sale or gift. Thus according

^{1.} Ind. Ant., XXXIX, pp. 197-198.

^{2.} Cf. Damodarapur copper plate ins. (EI., XV).

^{3.} Cf. Damodarapur copper plate ins., especially no. 3, line 10. See also the East Bengal plates (Ind · Ant., XXXIX pp. 197 ff.)

to the East Bengal copper plate No. 2¹ the assembly of the Mahattaras and some officials sold a plot of cultivated land belonging to a person named Thoda to Vasudevasvāmin, who, then, made it over as a Brahmadeya with the consent of the assembly. The East Bengal copper plate inscription No. 3 similarly records the sale of a piece of cultivated land belonging to a family of Bharadvāja Brahmanas.² An earlier instance of the ratification of a grant of land by the village assembly is furnished by the Sanchi Stone pillar inscription of Chandragupta II. We are told that Amrakārdava, a royal official, made an endowment, 'having prostrated himself in an assembly of five persons (pañcha-maṇḍalyām praṇipatya dadāti).'³

The community of the village also exercised the right of controlling the fallow lands (khila) of the village, but subject to the approval of its action by the government in certain transactions. The Damodara-pur copper plate inscription no. 3 records that the village headman Nābhaka of Chaṇḍagrāma applied apparently to the central government in the first place for its approval, for a piece of khila (cultivable waste) land thus: 'For the enhancement of my parent's and my own merit I wish to settle some prominent Brahmanas. So it behoves you to favour me with a gift of one kulyāvāpa of field-land which is fallow, free of

^{1.} Ind. Ant., XXX1X, pp. 200-201.

^{2.} Ind. Ant., XXXIX, p. 204.

^{3.} See Gupta Ins., pp. 31-32.

^{4.} EI., XV, p. 136-137.

revenue, and not already made into any gift, accepting from me value in coin in accordance with the custom of sale followed in the different villages.' Thereupon, the record-keeper Patradasa thus determined: "The application is a proper one. This is a case under the prevailing rule (or custom) of sale; so be it (land) given to him by his majesty". 'One kulyāvāpa of the cultivable waste (khila-kshetra) was then given to the headman on receipt of 2 (or 3) dinaras, 'after the land had been inspected by the mahattaras and others, the adhikarana and the householders (mahattar-ādy-adhikarana-kutumbibhih pratyavekshya).' It is not quite clear who accepted the money, but most probably the village community. This inscription also makes it probable that both the king and the village community exercised joint ownership over the waste lands.1 It seems that when a piece of waste land was brought under cultivation (Cf. khila-kshetra of this ins.), it ceased to be waste and the right of the king to a share of the produce or levy a tax at once cropped up. In this particular case the donor wanted this cultivable waste tract to make it over as a revenue free gift, and hence, he had to obtain royal sanction before making the application to the village council. The gift of this khila land is also ratified by the community.

A series of inscriptions from Nepal dated about the

^{1.} Cf. "In non-united villages the waste was not wholly claimed by the inhabitants; there only existed a prescriptive right to the user of the waste, not, to its ownership which was exercised by the king." Baden-Powell's Manual, 72.

seventh and eighth centuries A. D.1 refers to a village council of five called 'Panchalika', 'Panchali', or 'Panchalin', which looked after the administration of the local temples and the irrigation works of the village. King Amsuvarman, after making over the charge of three deities to this body, thus defines their power: 'When any business referring to these (deities) arises for the Pānchālikas or when they neglect to do in time anything appointed for them to do, the king himself shall privately investigate the case. But we shall not suffer it that any one violates this order and acts otherwise.' An inscription of Jishnugupta, dated c. 7th century A. D. records the order of the king to the effect that the cultivators using a certain water-course are to pay an assessment (pindakara) of one-tenth of the produce to the Panchali for the worship of a deity as well as for repair-works of the water-course. *

Communal ownership of land necessarily implies that the community of the village was responsible for the payment of the revenues of the state. Thus it is that when a king makes grant of such a communal village, he does not confer on the donee the immediate ownership of the lands of the village but only his share of the income out of it. The Khoh copper plate inscription of Mahārājā Jayanātha (476 A.D), recording the grant of an 'agrahāra' to a Brahmana family,

^{1.} Ind. Ant., IX, 168-177.

^{2.} Ibid., 171.

^{3.} Ibid, 173-174.

contains the following royal injunction to the community of the village: 'You yourselves shall render to these persons the offering of the tribute of the customary duties, royalties, taxes, gold etc. and shall be obedient to (their) commands.' The village had, however, still to pay the fines on thieves to the king (choradandavarjam) and not to the donees. Similarly, the Khoh copper plate inscription of Mahārājā Sarvanātha records the grant of a village in four shares (chaturbhir-amsaih) to a person named Vishnunandin receiving two shares, to Saktinaga, the merchant, receiving one share, and to Kumaranaga and Skandanaga receiving one share.2 An inscription of Sivadeva of Nepal (dated the eighth century A. D.), recording the grant of an 'agrahāra', contains the following royal command: 'You, understanding this, giving to him (the Acharyya) all the income, namely, the proper share of the produce and the taxes in gold and so forth, being protected by him alone, fearlessly following your occupations and obeying him in respect to all work that may have to be performed, shall live there in peace—From this 'agrahāra' the authorities shall take annually five loadcarriers for the Thibet service's This command is addressed to the headman and the householders. The Khalimpur copper plate inscription of Dharmapaladeva (9th century A. D.), which records the grant of

^{1.} Gupta Ins., p. 121.

^{2.} Ibid, p. 125.

^{3.} Ind. Ant., IX, p. 175.

four villages as Devadāna, contains an address to the communities of these villages for approval and maintenance of the gift (anumodya paripālaniyam). The grant further records: 'And resident cultivators, being ready to obey our commands, should make over to the donees the customary taxes, means of subsistence and all other kinds of revenue'.' The whole village thus appears to have been assessed under different items of taxation. Either the headman or the village assembly or both jointly apparently adjusted the taxes on the individual as well as on the whole community.

CHAPTER III.

THE HABITAT: THE VILLAGES OF SOUTH INDIA, C. 800 A. D. TO 1200 A. D.

It is indeed interesting to note that the materials available uptil now for the study of the land-system as it obtained in South India between c. 800 A. D. and 1200 A. D., are abundant and give us a fairly good picture of the real state of things. It is more interesting to know that many of the old customs relating to the land-system not only survived down to the time when the British government took up the problem of settling the tenure, but also to know that they still survive. As the South never came under the complete sway of the Muhammadans, its ancient land-system continued to exist almost in tact in many respects

Prativāsibhih Kshetrakarais-ch-ājñā-śravana-vidheyairbhutvā samuchita-kara-pindakādi sarva-pratyāyopanayah kārya iti. Gaudalekhamālā. EI., IV, 243.

down to the modern times when some changes were effected under the Ryotwari system. The vast body of South Indian inscriptions corroborates, in many essentials, what the authors of the Fifth Report and other writers on the Madras land system laid down in modern times.

§ 1. The Naming and Classification of the Villages. The villages of South India were known under different names according to their character. Thus a rescript from king Uttama-Choladeva (early twelfth century A. D.) is addressed to the inhabitants of the Brahmadeya villages, that is, the villages granted to the Brahmanas; the Devadana villages, i.e., the villages attached to some gods or goddesses or temples; Pallichchanda villages, i.e., the villages attached to Jaina religious foundations; Kani (or Gani-) murruttu villages, i.e., the villages meant for the support of astrologers; and Vetta (Vitti)pperru villages, probably villages connected in some way with the supply of labour, i.e., service-tenure villages (Cf. Sanskrit, vishti). Again, a village tenanted by Brahmanas only, or rather, the proprietary right of which belongs to the Brahmanas only, was known as an 'Agrahara' or 'Mangalam' as distinguished from 'Kudi' (an ordinary village) or 'Ur' or Vellalan (i.e., Sudra) village.2 An ordinary village (kudi) when made over to a Brahmana

^{1.} SII., III, No. 142 and No. 205. EL, XV p. 70ff.

^{2.} Ur literally means a town and is also applied to the assembly of the Vellalan.

as a gift often underwent a change in naming as well as in other respects. Thus the Anbil plates of Sundara-chola (tenth century A. D.) record that the village of Nanmullan-kudi had an area of 28 vēlis, out of which 10 vēlis were granted to a Brahmana under the name 'Karunākara-mangalam' as his 'Ekabhoga-Brahmadeyam', which is explained below. It is also noteworthy in this connection that the old tenants of this piece of land were evicted.1 An inscription of the reign of Prithivipati Hastimalla tells us that the villages of Kadaikkottur and Udayasandira-mangalam were converted into a Brahmadeya under the name Vīranārāyanachcheri.² Conversely, a Brahmadeya was sometimes changed into a Vellan-Vagai village, that is, into an ordinary cultivators' village. Thus an inscription of the reign of Rajendra Choladeva I records that Palaivanur, a Brahmadeya village of the assembly of Singaläntaka-Chaturvedimangalam, is to be withdrawn from the latter and become Vellan-vagai village, but, unlike the other Ve lan-vagais, should pay a standing fixed tax in money and kind, and become a Devadana of the temple of Palaiyanūr-Tiruvālangādu, paying to it this tax-(the old permanent tax in kind of 3238 kalam, 7 kuruni and 5 nāli of paddy together with 193 kalanju, I manjādi and I mā of gold including palli).8 A similar system of naming the villages according to the caste

^{1.} EI., XV, 70ff. (part II). See also SII., III, p. 307, note 1.

^{2.} SII., II, No. 76.

^{3.} SII., III, No. 205.

of their inhabitants was in vogue in later times. Thus 'in Madura district a village inhabited by the Telugu and Kanarese people was called an Ur: a small Kalla village, Patti or Kurichi; a fortified village, Koţţei (Koţţai); a Brahmana village, mangalam or agrahāram; and an ordinary village, kuḍi. In Chingleput villages were known as nattams which were subsequently applied to Sudra villages.'

§ 2. Villages on Samudayam, Palabhogam and Ekabhogam tenures. These survivals and parallels lead us naturally to consider the question as to how far we can trace the existence of the Mirasi tenure or Samudaya tenure and such other comparatively modern tenures during our period. Before we proceed to discuss the epigraphic evidence, it would not be out of place to briefly outline the three-fold classification of the villages of the South according to the three forms of enjoyment that prevailed in them, and which were believed to have existed from time immemorial. These three modes of enjoyment were known as Samudayam (lit. common property) or Pasungarai or Sumohi, Palabhogam or Achandrarkam (lit. permanent property) or Arudik-karai, and Ekabhogam or Ejaman or Yajaman grāmam (lit. sole enjoyment villages). Samudayam is regarded as the earliest form of enjoyment. It was of two kinds, namely, the absolute Samudaya and Karaiyidu. Under the former the

^{1.} Land Tenure in Madras Presidency by Sundararaja Aiyer 94-97.

whole of the cultivated area of a village together with the common waste and the common fallow land belonged to the whole body of the mirasidars or owners proper. The lands were cultivated either by the whole body jointly or separately by each member, but the whole produce in both cases was shared by the members of the community according to their respective shares. The ownership was communal, so far as the arable and waste lands were concerned. house-sites (nattam), along with the garden or backyard only, belonged to the members severally. In this form thus there was no separate allotment of land to individuals; and the property was a right to a certain share or pangu or a number of shares in the produce. Each member of the community contributed his share of labour. Under the form known as Karaiyidu (lit. field-division), 'lands were temporarily cultivated in separate shares by the corsharers forming the members of the community and were subject to redistribution at stated intervals.' These intervals were of 8, 12, 27 or 30 years. In both the Samudaya form there was the joint liability of the co-sharers for the government revenue. The share of the government called the 'mēlvāram' as well as the local dues and cesses were deducted from the gross produce before distribution. The co-sharers could alienate their shares by way of mortgage, sale or otherwise. In the absolute Samudaya form sale or mortgage meant the sale of the right to an undivided share in the common enjoyment: in the Karaiyidu form the land was liable to re-distribution at the end of the stated interval. In case of sales members of the community had a right of pre-emption, the owners of the neighbouring lands having the first claim. Under the Palabhoga tenure, 'all the cultivated lands, warapat (i.e., lands yielding a share of the produce) and tirwapat (i.e., lands paying a fixed moneytax), were permanently distributed, but all the other rights and privileges were held in common as also wastelands reclaimed since the general division. cultivated lands were held in severalty with individual ownership and individual liability for the payment of the government revenue.' The Ekabhogam or Yajamāna-grāmam system differed from the other joint village types chiefly in that the proprietor distributed the cultivable lands between a number of joint-holders farming in common and levied cesses on their produce. He usually held a manyam or tax free estate and conducted the village assembly (called Pravartakam). He was not a public officer like the headman of the villages of North India, and he could alienate his land and the attached privileges at his will. No sales could be made without his permission, nor any stranger settle in the village without his permission.2 We further note that the possession of shares in the Samudaya form of villages in Arcot and Chingleput carried with it peculiar hereditary rights in the village lands and waste and their produce. The owners took cesses in

^{1.} TTMR., p. 2, footnote 8. See Appendix A: Vārapet.

TTMR., p. 62, footnote, 23. Ind. Ant., III, p. 65; LTMP., pp. 98-100.

kind, such as, the Kāṇi-merai collected by their labourers before threshing the gross produce of paddy, the Kuppattam taken by them after threshing, and the Svāmibhogam or Tuṇḍuvāram levied only on their tenant's produce.¹ They often received, in addition to these shares, mānyams or honorary estates which they held either wholly or in part free of taxes (sarvamānyam and arddha mānyam), together with the right to the services of the Paraiyans or serfs living either in the suburb attached to each joint-village or scattered over the waste lands.

§ 3. How far the above-named tenures can be traced in the inscriptions. Although in the present state of our knowledge concerning the ancient land-system of South India it is not possible to identify all these names, still a study of the South Indian inscriptions cannot but convince one of the existence of these institutions in form and character in those days. The inscriptions, it should be remembered, mostly record gifts of land and refer to the institutions only indirectly. Or rather, the interpretation of some of the terms used in the inscriptions become quite clear when we study them in the light of the above-mentioned facts. To make our position clear, we discuss some of these points here. The Ekabhoga village has already been referred to in connection with the Anbil plates of Sundara-chola (Ch. III § 1). An Ekabhoga

^{1.} TTMR., pp. 2, 5, 21, and 77; LS., III, p. 119

^{2.} TTMR., pp. 90, 103.

is defined as 'a plot of land granted to a single Brahmana for his sole enjoyment and having on it his mansion and the houses of his dependents and farmers." A Chola inscription of our period tells us that queen Tribhuvana-Mahādeviyār made a Devadāna grant of a piece of land belonging to a Brahmana village, after paying the 'pūrvāchāram' (lit. former usage)2 to the Brahmana owners, whose assembly thus records this fact: 'We, (the members) of the big assembly of Uttarameru-chaturvedimaiigalam, having received pūrvāchāram from queen Tribhuvana-Mahādeviyār deducted the taxes as long as the Moon and the Sun (last), and ordered the lands to be tax-free.' The taxes were irai, echchoru, vețți and amanji.3 From this inscription it is clear that the village was jointly owned by the Brahmanas, or in other words, it was under the Samudaya tenure, that there was a smaller assembly (as distinct from the big assembly) which was evidently that of the Vellalans or Sudras and called Urk-kudimakkal (literally, farmer-folk of the town) who, besides farming the lands of the Brahmanas, might possess joint holdings of their own,4 and that, in return for a

Viprair-athānyair-varnair-vā bhogyo grāma udāhritāḥ, eko grāmaniko yatra sa-bhritya-parichārakaḥ kutikan tadvijānīyād-ekabhogasma eva tu. Kāmikāgama. (Quoted in EI., XV, p. 55.). See also Mayamatam, Ch. IX, 31 (Ekakutumbisametam Kutikam Syādekabhogam).

^{2.} Explained below.

^{3.} SIII, III, No. 194. The taxes have been explained below.

^{4.} See SII., No. 127, where a man buys land from the joint

sum of money (pūrvāchāram), the owners parted with their rights of enjoying the taxes irai, echchōrn, veṭṭi and amañji, which are invariably mentioned in connection with pūrvāchāram, and which may be regarded as the older form of the right of realising kāṇi merai, kuppattam, and svāmibhogam or tuṇḍuvāram. Irai literally means a cess or tax and may thus imply all these three; the nature of echchōru (lit. boiled rice) is not known, but in later times it implied a sort of daily batta paid to persons deputed on any account to the village by the officers of government's; veṭṭi (Sanskrit, vishṭi, forced labour) apparently implies some sort of right to free labour amañji implies a kind of payment in rice or paddy.

body of the Brahmans assembly, the \overline{U} rom or townsmen and the temple authorities.

- Literally, former usage, i. e., buying out the former joint-holder's manorial rights to the services attached to the estate. Cf. Ulavu-kasu (MER., 1916-17, p. 53, no. 614 of 1916. Cf. SII, III, no. 155. See also TTMR, p. 23).
- 2. Cf. SII., III, nos. 155, 167, 169 etc.
- 3. 'It is the same as the Nālpady or daily batta paid to persons deputed on any account to the village by the officers of government, except that the latter is given to peons or others of pure caste in money or raw grain, and the former is an allowance made to Teleiyāris or Tūkiris, who are generally pareiyer: a collection is often made on these accounts from the inhabitants, and if not disbursed, is divided among the mirasidars.' TTMR, p. 87, footnote, 5.
- 4. See SIL, II, no. 22; III, no. 116.
- 5. Now it implies a sort of compulsory service. See LTMP., 480.

Some of the inscriptions refer to committees of the village assembly, which were elected for arranging distribution of lands in the village (See Ch. III § 10).1 This shows that it was on account of the existence of the Karaiyidu tenure that such distribution of the village lands was needed. An inscription of about the twelfth century A. D. records that Tondaimanar Sāmantanātāyaņa, having purchased a village, divided it into 108 shares out of which he gave 106 to the Brahmanas and two shares to a temple. The inscription directly refers to karai or blocks (from which comes the word Karaiyidu). As the inscription is valuable as giving us an idea of the internal arrangements of a Karaiyidu village, we quote a portion of it below. 'The village of Sungandavirtta-Soranallur,.....which the Tondaimavar had purchased from Tennagangadevan, Sinattaraiyan and other partners,.....was given for (providing) 108 shares: (paigu), namely, 106 shares for 106 Chaturvedi-bhattas.....who lived at Samantanārāyana chaturvedi mangalam which the Tondaimānār had bestowed (on them and called) after his own name; and two shares for (an image). Altogether, (the Land) included within these four boundaries,.....excluding the cultivated land (vilai-nīlam) and the dry land (puñjey) of Ava...kamalla....., the cultivated land and the dry land of Nandavanapparru....., (is divided into) fifty blocks (karai). Of these, the wet land, excluding

^{1.} MER., 1899, p. 24-25; 1912-13, p. 98. Arch. Rep., 1904-5, p. 139.

^{2.} SII., II. no. 12.

the ancient gifts to temples, and including the portion on the bank of the river and the portion consisting of the causeways between fields, contains, according to the book (pottagam), 60 vēli; the land on which the village servants subsist, contains $1\frac{3}{4}$ and $\frac{3}{20}$; the dry land contains 14 veli; the land which is occupied by the village-site, the place used for sacrificing to the gods, and the place used as pasture for the cows contains 6 veli; the land which includes the houses of the cultivators, the ponds, channels, hills, jungles and mounds contains 12½ and 1. Altogether the land.....contains 94½ and t vēli. Deducting from this 9 blocks in possession of Tennagangadevan which contain $1 \begin{pmatrix} \frac{3}{4}, \frac{4}{20}, \frac{1}{80}, \frac{1}{160} \end{pmatrix}$, there remain 41 blocks containing $77\frac{6}{20}$, $\frac{1}{160}$ veli,whichwe gave, including the trees overground and the wells underground in this land, and all other benefits of whatever kind, having first excluded the former owners and the hereditary proprietors; and having purchased it as tax free property (kāni) for the 106 bhattas of this village and for the two shares of the image......with the right to bestow, mortgage or sell it, as a tax-free grant of land, to last as long as the

Moon and the Sun? An inscription of Kulottunga-Chola III records that 'the punjey (dry lands) and the nattam lands in Tiruppalatturai and its hamlets which appear to have been apportioned individually among the Śaliyanagarattar from early times, with their boundaries defined, had to be redistributed in the twelfth year of Kulottunga Chola III.' This clearly shows that the system of periodical distribution of land was quite in vogue during our period. Then again, the inscriptions also refer to manyams or honorary estates, which were either fully tax-free (sarva-manya) or half-free (arddha-manya).

§ 4. The Different Parts of a Village. The lands attached to a village were carefully classified for the purpose of taxation, and every detail was entered into the village register (pottagam), to which the inscriptions often refer. It should be remembered that the entire area of a village was not liable to taxation (especially with regard to the Devadāna and the Brahmadeya villages). Thus from two inscriptions of Rājarāja 1³ we learn that the tax-free parts of a village were:

The village-site (tr-nattam) and the site of the houses,

The sacred temples (Śrī-koyil) with sacred courts (tirumurram),

The ponds (kulam) of the village and those in the fields,

^{1.} MER, 1912-1913, pp. 108, 52 (No. 441).

^{2.} SII., III, nos. 151, 151 A; EC., VI., pp. 35, 108-9, 110.

^{3.} SII., II, nos. 4, 5.

The channels (vāykkāl) passing through the villages, The Paraichcheri, i. e., the quarter in which the Paraiyah lives,

The Kammāṇaśeri probably the habitat of the artisan which included stone-masons, carpenters, blacksmiths, goldsmiths and coppersmiths,

The burning grounds (śudukādu) including those of the cultivators and Paraichcheri,

Īṛachcheri (? the habitat of a particular class of people),

Varinārachcheri (quarter of the washerman),

Tīndāchcheri (Quarter of an untouchable caste),

High-road (peru-vari),

The threshing floor of the village,

The stone fold for cattle (karkidai),

The sacred bathing pond (tirumañjanakulan),

यस्त्रपंच नवने

Public pond (ūruni-kulam) and its banks,

The stables.

Land lying as waste and used as pasture,

Quarter near the gate (talaivāychcheri),

Cisterns (totti),

The fold for the male sheep of a village,

The land used as a pit (pallavāy).

We may compare with this the classification that prevailed in later times and was attributed to old times. The late authorities on the land-system in South India tell us that, for the purpose of revenue administration, the village in ancient times was divided into four parts,

^{1.} TTMR., p. 6 n. and p. 90; LTMP, pp. 80-83.

namely, Warapat (vārapperru), i.e., cultivated lands yielding a share of the produce; Tirwapat (tirvaperru), i.e. lands paying a fixed money tax; Tarisu, i.e., waste or uncultivated lands, which were divided into Shekal Karambu (śeykal-karambu) or cultivable waste, and Anādikarambu or immemorial waste; and Poramboke (purambokku? perumbokku), i.e., lands set apart for various communal purposes, e. g., village-site, temple-site, crematorium etc.. The cultivated land was classified into nañja (nañjey) or wet lands and punja (puñjey) or dry lands.

§ 5. The Constitution of the Villages. Broadly speaking, we come across the following types of villages in the South in accordance with the South Indian inscriptions: the joint-villages, in which the controlling power was exercised by the community of the Brahmanas besides whom there were people of lower castes mostly Vellalans; joint-villages belonging to Vellalan or farmers with subordinates of the same or lower castes1; and villages assigned to single individuals. So far as local affairs, and especially transactions relating to land, were concerned, these villages acted on most republican lines through the assemblies known as Sabhai, Mahā-sabhai, Perunguri-sabhai, Parudai or Paradai (Sans. Parishad or Parshad) or Mūla-parudai, in the case of the Brahmana villages, and Ur, in the case of the Vellalan villages. Sometimes these assemblies had such names as Ganapperumakkal,

^{1.} See SII., III, no. 187.

Ganavāriyapperumakkal or Anjasht asattu-sabhai.1 Though the king occasionally interfered (see § 8) in the affairs of the villages, they seem to have had no headman of the type familiar in North India who acted as intermediary between the community of the village and the government. Some of the inscriptions speak of a Kilan or Kilavan², who appears like a headman, but who really seems to be a senior burgess of a Brahmadeya. His functions are not like those of the village headman of the North. A record of Kāviripākkams mentions a gentleman named Arumbā-kilān, who was a Kangani or government supervisor, along with the so-called 'administrator of the town' (Uralkinra), acting jointly with the executive committee of the township in affairs which affected the interests of both the crown and the burgesses. We also come across references to 'Talai-magan', which literally means headman, but there is no evidence to show that he discharged the functions of the village headman, in the proper sense of the term. A record of the reign of Rājarāja III5 speaks of an officer named Kāvalkāņiyālan or 'Manager of Leases', who, when the tenants of the lands belonging to a temple were unable to pay their rents to the latter owing to poverty and were about to emigrate, helped these poor folk to tide

^{1.} MER., 1915-16, p. 115.

^{2.} SII., III, nos. 142, 151, 205.

^{8.} SII., no. 156. (Vol. III).

^{4.} SII, III., nos. 142, 205.

^{5.} MER., 1917-18, pp. 89, 152 (no. 1 of 1918).

over their distress by allowing them maintenance. It is possible that he is the same officer as Kaniyalan referred to in other records.1 Among the village officials is mentioned the Madhyastha, who seems to be the same as Naduv-irukkais, and who apparently carried out the orders of the assembly and acted as a Commissioner exercising the function of arranging the revenue-settlement in collaboration with the crown revenue officials. From the Uttaramallur inscriptions we learn: 'Any arbitrator (madhyastha), who possesses honest earnings, shall write the accounts (of the village). No accountant shall be appointed to that office again, before he submits his accounts (for the period during which he was in office) to the great men of the big committee." This office of the Madhyastha should be distinguished from that of the Karanattar or accountants. Besides these officials, the village body politic, according to the South Indian inscriptions, contained an Astrologer, a Vetti who swept public buildings and kept them in order, a constable, a potter, a smith, a carpenter, a tanner and, sometimes, a physician. As the assemblies and their executive committees, called the 'Variyam', were intimately connected with the land-system, a detailed discussion as to their consti-

^{1.} MER., 1917-18, p. 163.

^{2.} SIL, III, nos. 128, 141 etc.

^{3.} SII., 142. (Vol. III).

^{4.} Arch. Rep. 1904-5, p. 145.

^{5.} SIL, III, no. 177; MER., 1921-22, p. 56. (no. 46 of 1922).

tution and functions seems necessary. The Vāriyams were small committees¹ appointed by the village assembly to look after the different interests of the village with special reference in some cases to land.

§ 6. The Constitution of the Brahmana Assembly and its Functions with regard to the Land and the Irrigation works of the Village. According to an inscription dated in the thirtyfifth year of the reign of Mārañjadaiyan (c. ninth century A. D.), the rules for the membership were: that, of the children of shareholders in the village, only one, who is well behaved and has studied the Mantra Brahmana and one Dharma (i. e., Code of Law), may be on the village assembly to represent the share held by him in the village, and only one of similar qualifications may be on the assembly for a share purchased, received as present, or acquired by him as 'strīdhana' (through his wife); that (shares) purchased, presented or acquired as 'strīdhana' could entitle one, if at ail, only to full membership in the assemblies; and in no case will quarter, half or three-quarter membership be recognised: that those who purchase shares, must elect only such men, to represent their shares in the assembly, as have critically studied a whole Veda with its Parisishtas: that those who do not possess full membership as laid down by (the second) rule, cannot stand on any committee (vāriyam) for the management of village affairs; that those who satisfy the prescribed

^{1.} See EL, V, p. 138 for Prof. Kielhorn's interpretation of this term.

conditions, should, in no case, persistently oppose the proceedings of the assembly by saying 'nay' to every proposal brought up before the assembly: and that those who do this together with their supporters, will pay a fine of five Kāśn on each item (in which they have so behaved) and still continue to submit to the same rules." Two Uttaramallur inscriptions of Parantaka I dated in the first half of the tenth century A. D. lays down rules for the membership of the three committees (vāriyam) of Uttarameru-Chaturvedi-mangalam, which has apparently a bearing on the membership qualification of the assembly (see below). An inscription of the Chola dynasty states that 'the great assembly met in the Brahmasthana of the village and made the rule that only the Brahmanas well-versed in the Mantras were eligible for appointment as members of the assembly (vāriyam-seyvār) and for taking part in the deliberations of the village assembly.3 Another inscription of the same king contains 'a declaration of the great assembly of the village, stating that those who were guilty of pilfering property belonging to Brahmanas and of other crimes, could not be appointed as members in the Vāriyam committee of the village or to discuss any matter in the assembly.3

^{1.} MER., 1912-13, p. 98.

^{2.} MER., 1921-22, p. 101 (no. 241 of 1922).

^{3.} MER., 1921-22, p. 101 (no. 240 of 1922). An inscription of 1001 A. D. tells us that the members of a village assembly were called together by the blowing of a trumpet and that the herald was entitled to get daily 2 soru from

So far as land in general was concerned, we find that the assembly exercised the right of sale, gift, mortgage and lease with regard to the village lands. An inscription of Rajendra Choladeva I record the sale of 3000 kuli of land, which was the common property of the assembly of Ukkal, to a royal servant, who had to pay not only the full purchase money but also the revenue of the land, so that it might be given over as a Devadana. The inscription also refers to a deed of sale being duly executed. Another Chola record thus records the sale of a piece of land: 'We, (the members) of the great assembly of Velichcheri, having gathered in the assembly without deficiency, in the Brahmasthana of our village, sold the following lands'. (Then follows a description of the boundary).2 An inscription of Saka 1304 registers the purchase of the two third share of two villages by an

the village (MER., 1918-19, p. 95). The assembly transacted business even during night (Ibid). The number of members varied. In one assembly, we learn, there were 80 members (SII., III, no. 116) and in another there were as many as 512 members (MER., 1917-18, p. 153). For the snicoth working of the village community and of its assembly special precautions were taken. Thus the assembly of Nātūr, having assembled under a Tamarind tree in the village, agreed that any one going against the interests of the village would suffer like a "grāmadrohin" (MER., 1910-11, p. 75. Cf. "grāma-kantaka" of the Uttaramallūr ins., Arch. Rep. 1904-5, p. 140).

^{1.} SII., III, nos. 10, 71, 75 etc.

^{2.} SII., III, no. 116.

individual named Srīrāma Bhattan from the assembly of Ukkal for 400 panam. We are further told that this person sold it later on to another person for 500 panam.1 According to Vijñāneśvara an individual desirous of selling his land had to obtain the permission of his co-villagers or rather of the assembly of the village. In support of this rule, he quotes an old authoritative verse: 'Land passes by six formalities... by consent of townsmen, of kinsmen, of neighbours, and of heirs, and by gift of gold and water'.2 If the village lands happened to be 'arddhamanyam' i.e., an honorary estate paying only half the tax, the purchaser of such lands had either to compound for the payment of taxation, or to undertake payment of it for the future, or to arrange for payment by another party.3 Thus an inscription records: 'Having received this one hundred kāśu, we, the members of the assembly of Tirunallam, agreed to collect and pay ourselves the taxes due on these lands, such as, the Kudimai payable at the door of the king's palace.' An instance of the sale of the market fees by the village assembly is furnished by a Chola inscription. The assembly of Nalūr, in return for the payment of 25 kāśu by the authorities of the temple of Mahadeva, assigned to the latter the

^{1.} MER., 1923-24, p. 28 (no. 350. Cf. no. 359).

Sva-grāma-jñāti-sāmanta-dāyādānumatena cha, Hiranyodaka-dānena shaḍbhir-gachchati medinīti. Mitāksharā (Gharpure's edition), p. 76.

^{3.} SII., III, nos. 151, 151 A.

market-fees (angāḍikkūli) of the bazaar-streets of the village.1

The village assembly had also the right of bestowing the common land as gift on private individuals. Thus, for instance, an inscription of a Chola king records the grant of a Brahmadeya of half a vēli and two mā of land by the great assembly of Tribhuvanamādevi-Chaturvedimangalam to Tirunārāyaṇabhaṭṭan alias Kavikumudachandra-paṇḍitan, as a reward for having composed Kulottunga-Chola-charitai, a Kāvya glorifying the king. Another Chola inscription registers the gift of land in Urattūr as "Janmabhūmi" to an individual by the assembly of Kunrak-Kūrram, under orders of Paluveṭṭaraiyar Kaṇḍan-Maravan, with the condition that the donee should pay twenty-five pon annually as assessment on the land.

The assembly's right to mortgage the common property of the village is referred to in an inscription of about 1054 A. D., where we are told that in consequence of a famine the people of a particular village were badly in need of money; the assembly, thereupon, mortgaged 83 vēli of the common land to the local temple for 1011 kalanju of gold and 464 palam of silver in jewelry and vessels. One of the main functions of the assembly was to lease out the common lands of

^{1.} SII., III, no. 90.

^{2.} MER., 1918-19, pp. 66, 98 (no. 198 of 1919).

³ MER., 1923-24, p. 73 (no. 356).

^{4.} MER., 1899, p. 20.

of the village for cultivation. Thus, for instance, according to a South Indian inscription the assembly in one case agreed to lease out its common property to those inhabitants who promised to pay taxes on each kuli.1 When any person wanted to make any gift either as a Devadana or as a Brahmadeya out of the village lands, he or she had to pay the village assembly 'pūrvāchāram', i.e., a sum of money to buy off the manorial rights of the former owners. The assembly then looked after the due execution of the terms of the gift. Thus, for example, one assembly recorded: 'We made these lands tax-free as long as the Moon and the Sun last, having received pūrvāchāram from Sattan Brahmakuttan of Puliyangudiand agreeing that we do not show as due against them any kind of tax such as irai, echchoru, vetti and amanji. Those who deviate from this and show the taxes as due, shall pay a fine of 25 kalanju of gold to the credit of the Court of Justice whenever demanded' !2

It has already been pointed out that in the villages tenanted by the Brahmanas the work of cultivation was carried on by the people of lower castes, mostly Vellälans. It is, therefore, natural to find that the Brahmana assembly looked after the due realisation of taxes and dues from the farmer folk. We sometimes find the assembly resuming the cultivable lands from the tenants on the latter's failure to pay the proper

^{1.} SII., no. 7. (vol. III).

SII. III, 167. See also nos. 111, 112, 155, 157-160, 167-170, 182 etc.

A record of the time of Dantivikrama-varman tells us that some tenant-farmers failed to pay the taxes due on their farms; the local assembly thereupon took over their lands for three years and utilised the proceeds for maintaining the village tank. The resumption was on the stipulation that, if at the end of these three years the farmers should come back and pay up all their dues, they were to get back the land; otherwise, it would be sold for the benefit of the tank. It appears that out of the produce of the land (after the deduction of the melvaram) two thirds went to the landlords and one-third to the cultivators. A record of Parantaka I records that the assembly of a particular village converted a tank into an iraikulam (? tax-paying) and had a piece of land cultivated on the terms of 'two to one obtaining in this village,' i.e., on 'a system of contract, by which two shares of the produce were assigned to the landlord and one to the cultivator or vice versa.2 Sometimes, the right of collecting the dues on the cultivable tracts seems to have been sold to private individuals. Thus, for instance, an inscription of Rajendra Choladeva I records that a private individual, having purchased the right of collecting one tuni on each ma of land, both wet and dry, gave it over to the assembly for strengthening the tank-bund.

The assembly also controlled the irrigation works of the village. Thus an inscription of the time of Pa-

^{1.} MER., 1922-23, p. 128.

^{2.} SII., III, no. 110.

^{3.} MER., 1918-19, p. 96.

rantaka I tells us that the donation of gold made by one of the king's officers for feeding Brahmanas was utilised by the Tank Supervision Committee (Fri variyam), which was appointed by the assembly, to pay the wages of the workmen employed to remove the silt in the big tank at Kaveripak,1 In another record we find that an individual having paid 1000 kadi of paddy for some unspecified purpose, the assembly agreed to the following resolution: 'We, the assembly, shall close the sluice of the tank to collect water for irrigation, and shall cause 500 kādi of paddy to be supplied every year as interest." An inscription of Rajendra Choladeva I records that the village assembly sold five water-levers to a royal servant.3 Another inscription of the same monarch records that 'the great men of the village of Tribhuvanamadevi-Chaturvedimangalam made an order to the effect that every 6 mā of land situated within a specified locality and irrigated by the tank called Madhu: antakapperēri, must pay one kalam of paddy as ēri āyam, and that the great men in charge of the Tank Supervision Committee of the year ought to collect the dues and maintain the tank in proper repair.'4 From another inscription we learn that a member of the royal family, having bought a piece of land from the village assembly, made it over to a certain individual to pay daily one nali of oil for

^{1.} MER., 1922-23, p. 128.

^{2.} SII., III, no. 5.

^{3.} SII., III, no. 10.

^{4.} MER., 1918-19, p. 96.

the lighting of a local temple, in return for the user of the land. The village assembly, in recording this gift, lays down: 'He shall be entitled to irrigate these lands with first water (? talai-nīr) and last water (? kaḍai-nīr from our tank...'

With regard to the waste land of the village the assembly exercised the same rights as those which it exercised in connection with land in general. early Chola inscription records that a village assembly reclaimed 2240 kuli of land, which had been lying waste (manjikkam) without yielding any taxes, and gave it to a local temple for the expenses of a particular cult.2 As an instance of the assembly's right of disposal of the manjikkam, we read that 'Magandanan, a Siva-Brahmana of this (local) temple, petitioned that the garden and the field, which were the 'archchanabhoga' of the god, the lord of Tirukkarapura, were lying waste, being silted up with sand by breaches in the river. The members of the assembly directed that the great men of the Wet Field Supervision Committee (Kalani-vāriyam) holding office this year shall themselves grant this one thousand four hundred kuli of land measured by the wet field measure (kalani-kol) out of the maniikkam land of the village, in lieu of the land which is the archchanabhoga of the lord of this Tirukkarapura, and is lying waste being silted up.' A record of the reign of Parthivendradhipati-varman

^{1.} SII., III, no. 141.

^{2.} MER. 1922-23, p. 77 (no. 176 of 1923).

^{3.} SII., III, no. 156.

states that an individual named Sandran Elunurruvan bought some waste land from the village assembly of Uttarameru-Chaturvedimangalam to give it as 'śrīvalibhoga' to a god. On the authority of a Chola inscription we learn that the assembly of Parantaka-chaturvedimanglam sold 1350 kuli of the village manjikkam. The deed of sale was thus worded: 'Having fully received the due sale amount on this land, we, the members of the assembly sold it tax-free to the god Mahādeva at Tiruvalidayil. The Mahādeva of Tiruvalidayil also received, by purchase after paying up fully the due amount of sale, the land comprised within these four boundaries not excluding any portion of the land contained therein. The right for the water of the tank and that for the channel through which the water flows, shall belong to this land, in the same way after the sale as it did, when we possessed We have received fully the sale money agreed upon, removed the tax and sold it tax-free'! A penalty clause is also added. 'If this be violated, we agree to pay when demanded a penalty of one kalanju of gold daily to the king to be credited as a fund to the Court of Justice. We, the members of the assembly, further agree that even after paying this penalty, we shall obviate any hindrance that might be caused to this land from the king ruling our village!'2 This inscription incidentally shows that an image of a god

^{1.} SII., III, no. 182.

^{2.} SIL, III, no. 181.

was regarded as a legal person for transactions in land. The assembly also exercised rights of ownership over fresh clearings. Thus a Chola record tells us that the assembly of Śrī-Vikramābharaṇa-Chaturvedimaṅgalam made a gift of 'half a measure of land in the fresh clearing (pudu-ttiruttu).' A Pāṇḍya inscription dated 1207 A. D. records that, on a petition being made by an individual for a gift of land to a certain god, the village assembly of Parāntaka Chaturvedimaṅgalam made over as gift a piece of waste, land, after having dug a tank in it and clearing the forests around it.'

§ 7. The Assembly and the Devadānas and the Brahmadeyas. The village assemblies exercised considerable power with regard to the Devadāna and the Brahmadeya grants. They ordinarily acted as trustees or administrators of many local temples and Brahmadeyas, often receiving a sum of money in return. A record of the reign of Parākeśarivarman Parāntaka I of the Chola dynasty tells us that the assembly of Narasingamangalam, a joint Brahmadeya Devadāna village, having received a sum of money from a royal officer, agreed to carry out the intention of the donor, in addition to their looking after the business of the temple. According to another inscription a gentleman paid 25 kalanjus to the joint body of the Brahmana assembly, the assembly of the Urār and the

^{1.} SII. III, no. 11.

² MER., 1922-23, p. 109.

^{3.} SII., III, no. 106. Cf. nos. 96, 98, 142, 185.

Devakanmis or trustees of the local temple of a village for the maintenance of a perpetual lamp out of the interest.1 A record of the reign of Rajarajakeśarivarman dated about 996 A. D. shows that the assembly of Tribhuvan-mahādevi chaturvedimangalam acted as a trustee of a Devadana temple, but some of its members imposed or realised the taxes illegally from this Devadana. Thereupon, the assembly met in a hall and made a 'vyavastai' (agreement) regarding the Devadana: 'The said assembly shall not levy any other tax than siddhaya, dandaya and panchavara. It shall not be lawful for them to violate it or to levy any kind of tax, such as, sillirai which are not mentioned in the rates already fixed. In respect of this village the members of the Tank Supervision Committee, the Village Supervision committee and the Uramaiseyvar working for the year shall not receive any kind of payment in rice or paddy as amanji. Such of the members of the committee who misappropriated the collection of such taxes and signed the order for levying them, shall be liable to pay a fine of 25 kalanju of gold, which shall be collected by the Devakanmis (i.e., managers of the temple). Even after paying the fines they (the members of the Vāriyam) shall beliable to pay a fine to the Dharmāsana (Court of Justice) at the place they choose and at the rates fixed in the 'sabhā-vyavastai' (agreement settled by the assembly). The accountant of the Variyam, who allowed the unlawful collection, shall be

^{1.} SII., III, no. 127.

asked to pay vetti.1 Another Chola inscription records the gift of the village Kundamangalam as a tax-free village to the temple at Simhavishnu Chaturvedimangalam by a certain individual, who also deposited 200 kalanju of pon with the assembly of Simhavishnu-Chaturvedimangalam for the exemption of the Devadāna from tax.2 A Chola epigraphic record contains an agreement given by the Sabhai of Rajakeśari-Chaturvedimangalam to pay all the taxes on a certain land belonging to the temple of Tiruchchelūr-udaiyamahadeva, in lieu of interest on the money which they had borrowed from the temple treasury for purchasing house-sites.* This incidentally shows that the assembly, on its own collective responsibility, borrowed for the improvement of the locality, and that the local temples served as banking institutions for the purpose.

§ 8. The Assembly and the Crown. Although the village assemblies thus appear to be independent bodies, so far as the internal affairs of the villages were concerned, yet watch and ward over them was exercised by the crown. The village assemblies were not all free from corruption and malpractices. Thus the village assembly of Puduppākkam having misappropriated the temple-funds at Tirumālperu, a complaint was lodged before the king. 'Now, the managers of the temple (devakanmigal), the men in charge of its central shrine and all the Māheśvaras (body of

^{1.} MER., 1917-18, pp. 143, 33 (no. 362 of 1917).

^{2.} MER., 1923-24, p. 14 (no. 232 of 1923).

MER. 1923-24, p 14 (no. 226 of 1923). It mentions one kalanju as equalling 2 kāśu.

worshippers) came and complained that the members of the assembly of Puduppākkam have been misappropriating and enjoying this kāņi (property) of Śangappādikilān bestowed on the temple. The matter received due attention of the king. 'On our enquiry into the matter after summoning the managers of the temple at Tirnmalperu, the men in charge of the central shrine, the as sembly of all Māheśvaras and the members of the assembly of Puduppākkam, it was found that the members of the assembly of Puduppäkkam had been enjoying the Devadāna and had not been paying the taxes derived from the kāni.......We ordered that a fine be levied on the members of the assembly of Puduppākkam'.1 Several cases of this nature are recorded in the inscriptions, and some of them have been discussed in Chapter VI§ 8. We may here refer to another similar case in which a royal officer enquired into the conduct of the village assembly of Sirudamanallur in connection with the management of the local temple, and set matters right.2 There were also other matters in which the crown interfered or had the co-operation of the village assembly. One record tells us that the river having caused certain damages, the king's representatives as well as the village assembly met in a joint assembly to decide on the steps to be taken.3 A record of the reign of Rājādhirājadeva of the Chola dynasty states that, on a representation made by the village assembly to the Adhikārin Vīranārāyaņa-Mūven-

^{1.} S11., III, no. 142.

^{2.} MER., 1921-22, p. 101.

^{3.} SII., III, no. 156.

davelar to the effect that the original survey and classification of the village lands were in a chaotic condition, the latter convened an assembly in the hall called Rājaranjan in Uttamasola Chaturvedi mangalam. As a result of this, the lands of the village were properly classified and assessed. This inscription shows that the 'Adhikarin' maintained the connection between the central government and the local authorities (Cf. the functions of the Adhikārika, adhikaraņa etc, of the North Indian inscriptions, Ch. II § 8). He exercised important functions in connection with the grants of land made by the king. Thus he was present when King Nandivarman made a devadāna and brahmadeya grant. He also looked after the due execution of a royal grant.

At the instance of the king the village assembly sometimes made gifts of land. Thus, the assembly of the village called Rāja-rāja-Chaturvedimangalam and the settlement officer (nāḍu-kūru) made a gift of land to a temple under orders of the king. An inscription of Rājendra Choladeva, dated c. 1013 A.D. states that, in a meeting of the Sainvatsara-vāriyam or Annual Supervision Committee of the village Parameśvara-mangalam a district officer (appointed by the crown) called Vagai Śeyginra (lit. one who makes apportion-

^{1.} MER., 1921-22, pp. 101-2 (no. 239 of 1922).

^{2.} SII., II, no. 73.

^{3.} SII., III, no. 65 See also SII., III, no. 20. and MER., 1918-19, para 12.

^{4.} MER., 1917-18, p. 32 (no. 351 of 1917).

ment) was present. The function of this officer was apparently to keep a record of the distribution of the land within his district according as it was allotted out, either by the crown or by the local authorities, as sarvamānyam, arddhamānyam, or tax-paying estates. In other words, he was apparently a crown controller of lands, and his duties thus led him to come in touch with those of the Samvatsara-vāriyam which supervised these matters on behalf of the assembly. Having made a devadāna grant_the crown sometimes asked the village assemblies to carry out the order. Thus an inscription of Parakrama Pandyadeva records the communication of, and the giving effect to the royal order relating to the gift of a devadana by the assembly of Panaiyūrparru.² The village assembly was also responsible to the crown for the collection of the revenue from the village. Prince Yadavarayar of the Chola dynasty having imposed an oppressive tax, called ponvari, the land-owners of Rajanarayana-Chaturvedimangalam failed to pay a part of their taxes. Accordingly, the members of the assembly were arrested and imprisoned. Thereupon, they sold 80 vēlis of land, apparently to clear up the dues.* According to an inscription dated in the twenty fourth year of the reign

^{1.} MER., 1912-13, p. 35 (no. 262 of 1912).

^{2.} MER., 1923-24, p. 40 (no. 4). From SII, III, no. 65 we learn that at the command of king Rājendra Choladeva the village assembly of Sivapuram assigned a portion of its land for the settlement of 25 families who were to have supplied lamp-oil to a particular temple.

^{3.} MER., 1912-13, p. 109.

Răjarāja I the king authorised the village assemblies to confiscate and sell the land on which no tax had been paid. The order of the king ran thus: 'The land of those landholders in villages of Brahmanas, in villages of Vaikhānasas, and in villages of Śramanas, in Sonādu, in the adjacent districts included in Sonādu, in Tondainādu and in Pāndi-nādu alias Rājarāja-valanādu, who have not paid on the land owned by them, the taxes due from villages, along with the other inhabitants of those villages, for three years, of which two are completed, between the 16th and the 23rd years of my reign, shall become the property of the village and shall be liable to be sold by inhabitants of those villages to the exclusion of the defaulting landholders. Also, the land of those who have not paid the taxes due from villages for three years, of which two are completed, from the 24th year of my reign, shall be liable to be sold by the inhabitants of those villages to the exclusion of the defaulting landholders'. The first clause is meant for the Devadana, Brahmadeva and analogous villages and the second clause for the ordinary villages.

§ 9. $\overline{U}r$, the assembly of the Vellālans. Our information concerning the business transacted by the $\overline{U}r$ or $\overline{U}r$ om (lit. We of the $\overline{U}r$) of the Vellālans (Śūdras) is very meagre, but it is very likely that they carried on the same kind of business as the Sabhaiyar, in those villages, in which they were the owners of the land. But where there were both the Sabhai or the great assembly and the $\overline{U}r$ or the small assembly,

^{1.} SII., III, no. 9.

the latter necessarily occupied a subordinate position and probably looked after the caste-interests only. According to an inscription of the reign of Parthivendravarman the 'Urom' of Anai-Akkaraippūdūr made tax-free the four tadi of land and the well without excluding any in-lying land and gave as archchanābhoga to this Adityadeva, as long as the Moon and the Sun exist! A Chola record contains an acknowledgment by the Urar of Nirkuram of the gift of some fields by a private donor, the profits of which were to be used for the upkeep of the village tank. We are also told that the Ur of Tiruvidavandai, having received 30 kalanju of gold from an individual, agreed to maintain one perpetual lamp in the village: in default it bound itself to pay a fine of 41 kanam for each day of default, and to pay other penalties besides.3 Another inscription records a sale and gift of land by the Ur or Kāttur thus: 'Pattaiyanar, the chief superintendent of Perundaram (?) having constructed the temple of this village, we, the residents of the village (Urom) of Kattar in Paivūr-kottam, sold and gave as 'tannippatti' seven mā of land.....with four mā and 550 kaluval.4 According to an inscription of Mārvarman Sundara-Pāndyadeva the villagers of Pulivar, having assembled as Ur, granted the flow of excess water of their tank into other tanks.5

^{1.} SII., III, no. 187.

^{2.} SII., III, no. 93.

^{3.} SII., III., no. 125.

^{4.} SII, III. no. 188.

^{5.} MER., 1916-17, p. 26, no. 399.

§ 10. The Variyams or the Committees of the Village Assemblies. In its executive capacity the village assembly was organised into committees called Vāriyams. The membership qualification for a variyam was more strict than that for the assembly. On the authority of the two famous Uttaramallur inscriptions we learn that in the village of Uttarameru-Chaturvedimangalam a candidate for a vāriyam 'must own more than a quarter veli of tax-paying land, and he must have a house built on his own site. His age must be below 70 and above 35. He must know the Mantra-Brāhmana. Even if one owns only one-eighth vēli of land, he shall have his name written on a potticket (kudavolai, used in election) and put into the pot in case he has learnt one Veda and one of the four Bhashyas, and can explain it to others.' Many other details of qualifications and disqualifications have been given.1 यसम्बद्धाः नवन

We come across very many names of Vāriyams, but the functions of all these are not definitely known. Reference is made to an 'Annual Committee' in an inscription of the Ganga-Pallava king Kampavarman (9th century A. D.). This committee accepted 1000 kādi as interest thereon on some unspecified purpose. The Uttaramallūr inscriptions tell us of five committees

MER., 1899, pp. 24-25; Arch. Rep., 1904-5, pp. 142-44.
 It should be noted that in the earlier inscription the age limit is 60 and 30.

^{2.} SII. III, no. 5; Arch. Rep., 1904-5, p 135.

and refer to a sixth. These were the Annual committee (samvatsara-vāriyam), which apparently looked after the distribution of lands and general affairs of the village1 and consisted of twelve members; the Garden Committee (totta-vāriyam), which also consisted of 12 members; the Tank Committee (ēri-vāriyam) having six members; Panchavara Committee, which probably supervised the paddy crops² and consisted of six members; the Gold Committee, whose exact functions are not known but which probably looked after the trade of the village—this committee also consisted of six members; and finally the Committee of Justice. We further learn that the village named Amaninarayana-Chaturvedimangalam had a few more committees in addition to the above-named committees. Thus, it had not only the Annual Supervision Committee, the Garden Committee, the Tank Committee, the Panchavara Committee, the Garden Committee, but also Wet Fields Committee (Kalani-vāriyam), the Accounts Committee (kanakku vāriyam), the Sluice Committee (kalinguvāriyam) and the Fields Committee (tadivali-vāriyam).4 The members of the Tank Committee and the Garden committee appear to have specially looked after the due

^{1.} MER., 1912-13, pp. 98, 35 (nos. 262 and 263 of 1912).

Cf. SII., III, nos. 151, 203. See also SII., II, no. 98, p. 512, footnote.
 MER., 1912-13, p. 104; MER., 1917-18, p. 143.

^{3.} It is interesting to note that a committee of justice of a particular village had a lady as its member (MER., 1909-10, pp. 98-99).

^{4.} SII., III, no. 156.

execution of public charities.1 An inscription of the early part of the tenth century A. D. mentions the following committees: the Wards Committee, the Garden committee, the Fields committee and the North Fields committee. We further learn that the great assembly of Amaninārāyaņa-Chaturvedimangalam including the members of the Tank committee received 120 kalanju of gold as a fund for paying 'the ferrymen depositing mud on the bund of the big tank of our village' and for feeding four Brahmanas out of the interest.2 One record speaks of the 'great men of the Wards Committee' (kudumbu), 'the great men of the Fields Committee,' 'the great men (numbering) 200,' 'the great men for the village' and the 'great men of the Udasina Committee." Some of the inscriptions refer to Ur-vāriyam (lit. town-committee), whose function was 'to see the lands of the village properly cultivated and to collect the produce.'4 According to a Chola inscription the great assembly of Nityavinoda-Chaturvedimangalam borrowed 20 kalanju of gold from a temple and placed it in the hands of the Urvāriyam to supply oil as interest on the amount borrowed. Thus the Ur-variyam looked after the monetary transactions of the village as well. A Chola inscription refers to Manrādi-vāriyam, which was a commitee

^{1.} SII, III, no. 12.

^{2.} SII., III, no. 99.

^{3.} MER., 1904-5, p. 41; Arch. Rep. 1904-5, p. 135, note 5.

^{4.} MER., 1912-13, p. 98.

^{5.} MER., 1910-11, p. 37. (no. 38 of 1911).

consisting of eight members appointed by the great assembly, and which supervised the cultivation of the temple estates and conducted the celebration of festivals in the temples with the melvaram received from the tenants. We also hear of a Srī-vaishnava-vāriyam which evidently looked after a Vaishnava temple. inscription of the reign of Rajaraja I mentions a committee that managed the affairs of the village (gramakārya or ālum gaņa vāriyam), and another committee that managed the affairs of the temple (śrī-kārya or koyil vāriyam). An inscription of Parākeśarivarman Kulottunga III refers to a Land Survey Committee (nilam-alavupada-pperumakkal) of the village assembly of Perumbarrappuliyur. With regard to the assessed lands of a certain temple it executed an order of the king to the effect that the 'lands declared to be superior to the eighth class be assessed as per those of the eighth class (ettām-taram), and that those below the eighth class, be allowed to continue as before, and that the site of the temple of....., its enclosures, premises and the sacred tank till now included in the account of assessed lands be removed from that register.'s

It appears from the above that all the villages had not the same number of committees and that they were appointed according as local needs demanded. It is also likely that the changed conditions of a village,

^{1.} MER., 1922-23, p. 104.

^{2.} MER., 1915-16, pp. 116, 18 (nos. 204 and 194).

^{3.} MER., 1913-14, p. 30 (no. 262).

such as, on account of new acquisition of land, the creation of a devadāna etc., necessitated the appointment of new vāriyams.

According to the Uttaramallur inscriptions the members of the Annual Committee, the Garden Committee, and the Tank Committee held office for 360 days and then retired. It is further laid down that 'those who had previously been on the Garden Committee and on the Tank Committee, those who are advanced in learning and those who are advanced in age, shall be chosen for the Annual Committee.'2 In connection with the method of election of these committees, we are told that the village was divided into thirty wards and each ward was represented by one man. Out of these thirty representatives twelve members were elected for the Annual Committee and twelve for the Garden Committee. The remaining six formed the Tank Committee. The members for the Gold Committee and the Panchavara Committee were similarly appointed out of a body of thirty men freshly elected.3

All transactions concerning land were very carefully recorded in the village account book (pottagam).⁴ It not only contained a very minute description of the different kinds of the village land but also a record of sale, gift, transfer etc., that occurred from time to time.

^{1.} Arch. Rep., 1904-5, p. 144.

^{2.} Ibid.

^{3.} Ibid., pp. 144-145.

^{4.} SII, II, nos. 21, 22; III, nos. 73, 87 etc.

There was a special department, called Tinaikkalam that looked after the collection of taxes from the Deva dāna lands, and was under an officer, called the Master of the Rent Roll.¹ In matters touching the allotment of the taxes in connection with a Devadāna this department appears to have co-operated with the Revenue Department of the central government called Puravaritinaikkalam.²

Chapter IV.

THE ROYAL DOMAIN AND THE PROBLEM OF THE OWNERSHIP OF LAND.

There is much confused thinking with regard to the problem of the ownership of land in Ancient India. No doubt this is partly due to the apparently contradictory statements and views contained in the literature of Ancient India. But it seems to be in a great measure due to our hitherto neglecting a systematic study of the ancient land system. In the preceding chapters it has deen shown that, so far as the immediate management of land in respect of sale, gift, mortgage etc.--or in other words, the immediate ownership of land, was concerned, the local bodies practically exercised the highest authority. In this local management of land we notice some officers or agents playing only a minor part. Evidently, they looked after the interests of the king and kept watch over the smooth working of the local institutions. The

^{1.} SII., II, no. 88.

^{2.} SII., II, p. 412, foot-note, 4; III, no. 57.

king interfered only when the local administrative machinery was not properly working, when there was something wrong in the collection in the melvaram and when there was any mismanagement of the public property, such as, the temple lands, irrigation etc. This power he exercised as the protector of the land ----as having the ultimate sanction in the state. He may thus be regarded as a sort of sleeping partner in the management of the land discussed in the foregoing chapters, not being necessarily the owner of the land. But we also find him as the sole owner of certain lands, which we shall call the Royal Domain or the king's own land in contradistinction to the other kind of land, which we shall designate private lands. The king could of course make use of his own lands with much greater freedom than he could the other kind of land. In this chapter we examine how far the distinction between these two kinds of land was maintained throughout ages, how the royal domain was organised, and the problem of the ownership of land.

§ 1. The Rig-veda and the Brāhmaņas on the king's land and the land of private individuals. A hymn of the Rig-veda seems to make an indirect reference to the fact that the Aryas, after conquering the lands of the Dasyus, used to share them, apparently on a footing of equality. This sharing of

RV., I, 100, 18: Dasyuň-chhimyuś-cha puruhata evai hatvā pṛithivyām śarvā nivarhīt, sanatkshetram sakhibhiḥ śvitnyebhiḥ sanat sūryam sanadapaḥ suvajra. See also Sāyaṇa's commentary.

the land by all the conquering persons during the Vedic age seems to be referred to in the Manusamhita: 'A text of the Veda declares that the soldiers shall present a choice portion of the booty to the king; what has not been taken singly, must be distributed by the king among all the soldiers.'1 A distinction thus existed between the king's land and the private Measurement apparently for the purpose of the division of the soil is referred to in another hymn,² which seems to indicate the existence of individual holdings. There are other Vedic texts too, which go to show that the fields were cultivated by individuals or individual families.3 But nothing definite can be gathered from these texts as to the exact nature of the rights either of the king or of the private individuals. In hymn VII, 6, 5 (Rig-veda) king Nahusha is said to have forced his people to pay taxes (bali), and in hymn X, 173, I we are told that the king is installed on the throne of the kingdom, and then in X, 173, 6 Indra is invoked to make the commonalty (viśah) pay tribute to him. The payment of this tax (bali) by the people may not necessarily imply the absolute property of the king in the soil. It might have meant a kind of personal tax paid out of the field-produce for the maintenance of the tribal king. In other

^{1.} VII, 97.

^{2.} RV., I, 110, 5.

RV., X, 33, 6. Cf. VIII, 91, 5. 6. See Vedic Index: Urvara and Kshetra. (I, 99 and 210).

words, the idea of tribal leadership might not have been associated with the idea of territorial sovereignty In the Satapatha Brāhmana we come across a reference to the right of a Kshatriya (prince) to grant a settlement to any one with the approval of the clan (the clan is said to be the deceased ancestors).1 Elsewhere it is however emphasised that the king being not the absolute owner of the land, could not give away the whole land in gift. Thus describing an all-sacrificing (sarvamedha) ceremony the Satapatha Brāhmana tells us that Viśvakarman Bhauvana once performed this sacrifice and gave Kasyapa, the officiating priest, some land as his fees; but that it was concerning this gift that the earth sang the stanza: 'No mortal must give me away.'2 In the Aitareya Brāhmaņa the Kshatriya king is enjoined to grant cultivable tracts (kshetra) to the Brahmana who conducts the coronation ceremony, and a reference is made to the Vaisyas paying taxes.4 These apparently conflicting statements can only be reconciled by recognising the fact that while the king had absolute right of disposal of his own lands, he had, if any at all at that remote age, very limited rights over the land of his subjects or clansmen. This is very clearly expressed by Jaimini, who lays down the principle that the king could not give away the

^{1.} VII, 1, 1. 4 (SBE., XLIV, p. 299).

^{2.} XIII, 7, 13-15 (SBE., XLIV, p. 420-421).

^{3.} Ch. XXXIX, 6. See also VIII, 21.

^{4.} Ch. XXXV, 3.

whole land, as this did not belong to him alone (na bhumih syat sarvan praty-avisishtatvat). With regard to the Vedic and the Brahmanic periods we may thus say that land was apparently owned by private individuals with as much right as by the king, and the land of the one was distinct from the land of the other.

§ 2. The Early Buddhist Literature and the Dharma Sutras. The Sāli-kedāra Jātaka seems to make a direct reference to the royal domain. We are told: 'Once upon a time, a king named Magadha reigned in Rājagaha. At that time there stood a Brahmana village, named Salindiya, towards the north-east as you go out of the city. In this north-eastern district was property (cultivable fields) belonging to Magadha (magadha-khettam)². A Brahmana named Kosiyagotta belonging to this village appears to have taken lease of one thousand 'karīsas' out of that royal domain and sowed paddy in it.3 The Jayaddisa Jātaka, referred to already in Chapter I § 4, shows us one of the ways in which the royal domain increased by way of colonisation. The Kurudhamma Jataka, referring to the measurement of land by a certain royal officer

^{1.} Jaiminīya-nyāyamāla, VI, 7, 3 (Śāstradīpikā, p. 511).

^{2.} Vol. IV, no. 484 (Orig. IV, p. 276).

^{3.} Ibid: Rājagahe Magadharāja nāma rajjam kāreti. Tadā nagarato puvvattarāya disāya sālindiyo nāma brāhmaṇagāmo ahosi. Tassa puvvattara disāya magadha-khettam. Tattha Kosiyogottanāma sālindiyavāsi brāhmaṇo sahassa karīsamattam khettam gahetvā sālim vapāpesi.

(rajju-gāhaka-amachcha), draws a distinction between the land of the king (rañño santakam) and the land of the ordinary householders (kutumbassa santakam).3 The Jatakas abound in references to the 'kutimbika' or 'kuṭumbika'.2 They seem to be private land-owners. They are generally described as having been rich people. Apparently the source of their wealth was mainly the land, which they enjoyed evidently as full owners. According to the Sāli-kedāra Jātaka referred to above, Kosiyagotta had offered the Buddha one thousand karīsas of his land, but the latter accepted only eight karīsas. It is not clear from the text if this donated land was out of the royal land of which Kosiyagotta had taken a lease, or if it was out of his previous holdings in his own village. It was apparently out of his own land, for, otherwise his right of possession would jeopardise that of the king, unless the latter had approved of his act, of which, however there is no mention. The Telapatta Jātaka also in a general way shows the limited nature of the kings right in the state. We are told that when the ogress-queen of the king of Takkasila wanted power and authority over the whole kingdom, the king said: Sweetheart, I have no power over those that dwell throughout my kingdom; I am not their lord and master. I have only jurisdiction

^{1.} Vol. II, no. 276 (Original Texts, II, p. 376).

e. g., Satapatța Jātaka (no. 279); Jatakas nos. 288, 352,
 249, etc. See also Childers's Pali Dictionary and Prof.
 Rhys Davids's Pali Dictionary.

over those who revolt or do iniquity. So I cannot give you power and authority over the whole kingdom.'

The Chullavagga tells us that Anathapindika the merchant purchased an 'ārāma' (park) from prince Jeta, and later on made a gift of it to the Buddha.2 This story thus illustrates the transfer of a piece of royal domain by sale to private hands. In the Digha Nikāya we are told that а Brahmana was granted a Brahmadeyya__ in the royal domain at Kosala. 'Now at that time the Brahmana Pokkharasādi was dwelling at Ukattha, a spot teeming with life, with much grassland and woodland and corn, on a royal domain, granted him by king Pasenadi of Kosala as a royal gift, with power over it as if he were the king.'s Thus the early Buddhist literature recognises the distinction between the royal domain and the land of private owners

The Dharma Sūtras also recognise this distinction. Thus says Vasishtha: 'A pledge, a boundary and the property of minors, an open deposit, a sealed deposit, women, the property of a king and the wealth of a Srotriya are not lost by being enjoyed by others.' Gautama recognises private property in land in the

^{1.} II, no. 96 (Orig. I, p. 388).

VI, 4, 9 (SBE., XX, 187); Kern's Manual of Indian Buddhism, p. 28.

^{3.} Dialogues of the Buddha, translated by Rhys Davids, Vol. I, p. 108.

^{4.} XVI, 18 (SBE., XIV, 81).

following: 'Animals, land and females are not lost by possession of another.'

§ 3. Kautilya and Megasthenes on the Royal Domain and the Land under Private Occupation. If all the chapters of Kautilya's Arthaśāstra bearing on land, are carefully studied, it will be found that the particular class of land treated of in Book II, Chapters 1 and 2 (translation) and Book VII, Chapters X and XII is entirely different from that referred to in connection with the Division of Inheritance (Book III, chapters 5 and 6), Sale of Buildings (Book III, chapter 9), Pasture lands, Fields etc. (III, 10), Deposits (III, 12), Rules regarding Slaves and Labour (III, 13), and Resumption of Gifts (III, 16). The rights and conditions attaching to one class of land are incompatible with those attaching to the other class. In fact Book II relates to the organisation of the State and Book III to the laws governing relations between private individuals and those between private individuals and the state. This apparent incompatibility of the rights and conditions attaching to the two classes of land can only be accounted for by recognising that one set of rights and conditions relates to the royal domain and the other to private lands. The essential conditions pertaining to the former may be thus summarised:

The king exercised the right of leasing out the cultivable tracts to tax-payers for one generation only.⁴

^{1.} XII, 39 (SBE., II, p. 243).

^{2.} Arth. p. 47: Karadebhyah kritakshetrany-aikapurushikani prayachchhet.

It appears that in such cases the lessee paid a moneytax (kara) in addition to a share of the produce (Cf. Megasthenes. See below).

The express condition on which such lands were leased out, was that these were to be cultivated; otherwise, these were to be resumed and made over to other persons. An exception to the rule was made in favour of land not yet prepared for cultivation. In such exceptional cases and in times of emergency concessions were granted by way of remission of taxes and advance of grain, cattle and money. The dues of the king from such lands varied, being $\frac{1}{2}$, $\frac{1}{4}$, or $\frac{1}{5}$ of the produce.

The king is enjoined to grant Brahmadeya lands out of this demesne land to the Ritviks, Acharyyas, Purohitas and Śrotriyas free of the taxes, 'Daṇḍa' and 'Kara.' These Brahmadeya lands could not be sold or mortgaged except to those who owned such lands.

Portions of the domain land are to be granted also to a class of royal servants, such as, Superintendents, Accountants, Gopas, Sthānikas, Veterinary Surgeons (anīkastha), Physicians, Horse-trainers and Messengers, evidently with rights of permanent occupation, as in the case of Brahmadeyas, but without the right of alienation by sale or mortgage (vikrayādhānavarjam).

^{1.} Ibid: Akrishatām-āchchhidy-ānyebhyah prayachchhet.

^{2.} Ibid: Akritāni karttribhyo nādeyāt.

^{3.} Arth. p. 116: Vāpātiriktam-arddha-sītikah kuryyuh svavīryyopajīvino vā chaturtha-pancha-bhāgikāh.

^{4.} Bk. II, CH. I (adaņda-karāņi).

^{5.} BK. III, Ch. 10 (Brahmadeyikā brahmadeyikeshv-anyathā pūrvas-sāhasa-daṇḍaḥ. p. 171).

Unlike the rent-free Brahmadeyas, the owners of these lands probably paid a tax, which might have been nominal.

The king had absolute rights of ownership as to fishing, ferrying and trading in vegetables in the reservoirs and lakes in such lands. He had also the right of carrying on mining operations, manufactures etc.

The laws regarding the other class of land show that their owners exercised the rights of ownership, subject only to the sovereign rights of the monarch. The state was entitled to a sixth part of the field-produce³ and some minor taxes and dues. The rights of the private owners may be thus summarised:

These lands were not enjoyed for one generation only as in the case of the other kind of land, but passed from generation to generation according to rules of succession and inheritance. It was only when no successor was forthcoming that the king took away the land, but even then some restrictions existed, such as the property of the learned passed over to those who were well-versed in the three Vedas, if they died heirless. It is further laid down that the king should beneficially distribute among others those holdings which have no boundary marks or which have ceased to be enjoyed by any person.

Matsya-plava-haritapanyānām setushu rājā svayam gachchhet

^{2.} Akarakarmäntadravya etc.

^{3.} BK. II, Ch. 15.

^{4.} Arth., p. 161.

^{5.} Ibid., p. 169.

Just as the king could lease out land from his own domain on various conditions. the private land-owners could let out their also lands in return for a stipulated price, annual rent, or for a part of the produce. One-tenth of the produce was apparently the normal rate.2 Though the normal dues of the state from such lands was one-sixth of the produce, it seems to have been less in special cases. Kautilya enjoins: 'So much of the produce as would not entail hardship on the cultivators may be given to the government.'s

These lands could be sold or mortgaged by their owners, subject to the condition that the 'tax-payers shall sell or mortgage their fields to tax-payers alone.' The king only levied a toll on the sale. This restriction as to sale and mortgage together with the restrictions imposed on the Brahmadeya lands, was apparently meant for preventing private lands getting mixed up with the royal domain, thus creating conflict of rights and anomalous tenures.

Private owners exercised the right of alienation by gift or otherwise.

^{1.} Arth., p. 170: Prakrayāvakraya-vibhāga-bhoga-nisrishto-pabhoktā-raschaishām pratikuryyuḥ.

^{2.} Ibid: Vetanādāne daśabandho.

^{3.} Ibid., 170 (Tr. Bk. III, Ch. 9)

^{4.} Ibid.

Ibid, p. 171: Karadāḥ karadeshv-ādhānam vikrayam vā kuryyuḥ.

^{6.} Ibid., p. 168; Vikrayapratikroshta sulkam dadyāt.

^{7.} See Bk. III, ch. 16.

Kautilya directly refers to the royal domain by using the expression 'svabhūmau' to imply the land belonging to the king¹. In the chapter on the realisation of taxes the Arthaśāstra makes a distinction between 'sītā' levied on the royal domain and 'Bhāga' apparently levied on private lands.²

As to the evidence of Megasthenes we note in Fragment I, culled from Diodorus: 'They pay a landtribute to the king, because all India is the property of the crown and no private person is permitted to own land. Besides the land-tribute, they pay into the royal treasury a fourth part of the produce of the In Fragment XXXII, taken from Arrian we find: 'They cultivate the soil and pay tribute to the king and the independent cities ! According to Strabo's version: 'The whole of the land is the property of the king, and the husbandmen till it on condition of receiving one-fourth of the produce." Though all the three Greek historians profess to record the statements of Megasthenes, the difference between Diodorus and Strabo is too serious. According to one the cultivator paid one-fourth of the produce in addition to a land tribute, and according to the other the cultivator received only one-fourth of the produce and naturally

Arth., p. 115. See also page 101. Tr. Bk. II, Chh. 18 and 24).

^{2.} Arth., p. 60 (Translation, BK. II, Ch. 6)

^{3.} Mc Crindle, Ancient India.

^{4.} Ibid., Arrian, XI.

^{5.} Ibid., Fragment XXXIII.

paid three-fourths to the state. Yet they are both right in so far as their statements relate to the royal domain and not to the private lands. We have already mentioned that according to Kautilya the king received half, one-fourth or one fifth of the produce from certain classes of land within his domain. As to the statement that the cultivators paid a land-tribute in addition to a share of the produce, we should remember that Kautilya also enjoined that cultivable tracts already prepared should be leased out to taxpayers (karadah) apparently for a share of the produce. That Megasthenes had before him only the domain land of the king, is further clear from the fact that, having before him the agricultural villages of Sudra families, which were set up by the Maurya government in the royal domain, he regarded the husbandmen as a caste by itself.

§ 4. The Evidence of the Santi Parvan and the Manusamhita. The Social Compact theory as expounded in Chapter 66 of the Santi Parvan³ asserts that there was a time when there was no king and it was all disorder, and contains the idea that land was in the possession of the people. When the people received a king from Brahma they gave him for his maintenance, among other things, one-tenth of the produce⁴ or, as in a different place, one-

^{1.} Quoted already.

^{2.} See Ch. II § 2.

^{3.} Bombay Edition. (Ch. 67 in the Calcutta Edition).

^{4.} Ch. 68 (Bombay Edition), 23-24.

Manu recognises private property in land, the general principle according to him being that he who has cleared the forest is the owner of the land. The way in which this famous statement has been made, makes it very clear that this was a universally acknowledged principle. Manu refers to this while indicating the nature of the relationship between husband and wife in IX, 46 and emphasises in contrast to this relationship the right of the owner of land to sell, give or re-

^{1.} Ch. 68 (Bombay Edition), 27.

^{2.} Ch. 87; 26-33.

^{3.} Ch. 69, 6-7: Nyaseta gulmān durgeshu sandhau cha Kurunandana, nagaropavane chaiva purodyāneshu chaiva hi, sainsthāneshu cha sarveshu pureshu nagareshu cha, madhye cha Naraśārddūla tathā rājaniveśane.

^{4.} IX, 44: Sthānuchchhedasya Kedārāmāhuḥ śalyavato mṛigam. Says Kullūka: yena sthānum-utpātya Kshetram Kritam tasy-aiva tat Kshetram vadanti.

nounce it.1 These rights are further referred to in connection with the division of inheritance (IX, 103-219).2 As to the position of the king with regard to this kind of land we should note that the great principle promulgated by Manu with regard to the basic ground of kingship was protection of subjects (VII, 3). As the price for this protection the king was entitled to one-sixth, one-eighth, or one-twelfth of the field-produce, and also to one-sixth of the price obtained from the sale of such produce as trees, medicinal plants, fruits, flowers, tubers, herbs, vegetables etc.3 In default of payment of the fixed share of the produce the cultivator or rather the owner of the field was fined. 'If the crops are destroyed by the husbandman's fault, the fine shall amount to ten times as much as the king's share; but the fine shall be only halfthat amount if the fault lay with servants and the farmer had no knowledge of it.'4 There is no reference to confiscation of such lands in default of payment. Again, according to Manu lands belonging to the Śrotriyas (learned in the Vedas) were free from all kinds of taxes. This also partially illustrates the nature of private

IX, 46-47: Na nishkraya-visargābhyām bhartur-bhāryā vimuchyate. Evam dharman vijānīman prāk prajāpati-nirmitam. Sakrid-amśo nipatati sakrit kanyā pradīyate Sakrid-āha dadānīti triny-etāni satām sakrit.

^{2.} See also 1V, 230 and IX, 53.

^{8.} VII, 130-132. Cf. VIII, 307.

^{4.} VIII, 243.

^{5.} VII, 133: Na rājā śrotriyāt karam.

ownership in land. The king occupied private lands under exceptional circumstances only. Thus when there was an entire absence of any legal heir to any particular property, the Brahmanas were given it, but when a Brahmana was not available, then the king was entitled to it. The king did not however exercise this right in the case of the property of a Brahmana.1 Manu seems to refer to the king's own land in his statement of the law of Prescription. We are told that if the property of a private individual continues to be enjoyed by another for over ten years, then the former loses his ownership, but an exception is to be made in the case of the property of the king.2 In one place (VIII, 39) the king has been called 'the lord of the land' (bhumer-adhipati). Much has been made of this verse to show that the king was the absolute owner of the soil,4 but it loses much of its force when it is read along with the preceding verses, in one of which it is said that the Brahmana is the 'lord of everything.'5 The expression in question should not thus be too literally accepted. It may simply imply 'the ruler of the land,' though of course as the protec-

^{1.} IX, 188-189.

^{2.} VIII, 147 and 249.

Nidhīnāntu pūrānānām dhātunāmeva cha kshitau, arddhabhāga-rakshanādrājā bhūmeradhipatirhi saḥ.

^{4.} Eiphinstone's History of India (eleventh edition), p. 24.

VIII, 37: Vidvāmstu brāhmano drishtvā pūrvopanihitam nidhim, ašeshato-pyādadīta sarvasyādhipatirhisaḥ. Cf. Sānti., Ch. 77, 24.

tor of the kingdom he had certainly some sovereign rights over land in general. He was undoubtedly the absolute ruler of his own lands. Like Kautilya, Manu advocates a forward policy (VII, 99) and a policy of colonisation (VII, 69. 76) on the part of the king. These were conducive to the growth of the demesne land of the crown.

§ 5. Buddha-charita and Milinda-panha. In Aśvaghosha's Buddha-charita the idea prevails that the king ruled his people as their protector and as such was entitled to one-sixth of the produce. 'He desired not to take his tribute of one-sixth without acting as the guardian of his people.' Milindapanha makes a direct reference to private ownership of land and to the tradition current about it. It is as when some men or other finds a thing that has been lost, and the people use the phrase: 'He has brought it back to life.' And it is as when a man clears away the jungle, and sets free a piece of land, and the people use the phrase: 'That is his land' (Cf. Manu. IX, 44). But that land is not made by him. It is because he has brought the land into use that he is called the owner of the land." In one place, however, Milindapañha refers to the king levying a tax on all, but it is distinctly stated that he levied it on an emergent occasion only, and that there

^{1.} II. 44 (SBE., XLIX).

^{2.} IV, 5, 15 (SBE., XXXVI, 15). Yathā vā pana mahārāja kochi puriso vanam sodhetvā bhūmim nīharati, tassa sā bhūmītī jano voharati, na ch, esā bhūmi tena pavattitā, tam bhūmim kāranam katvā bhūmisāmiko nāma hoti... (Trenckner's edition, p. 219).

§ 6. Vishņu, Nārada, Brihaspati, Śukranīti and Kathāsaritsāgara on the two kinds of land. In the Vishņu Samhitā we find an indirect reference to the king's land. One who ploughs the ground for half the crop (and gives the other half to the king or a private person, who is the owner), a friend of the family, a house-slave, a herdsman, a barber and one who announces himself (with the words 'I am your slave), the food of such may be eaten, although they are Śūdras. The normal rate of taxation on ordinary lands, according to Vishņu, was one-sixth of the produce. Therefore the half-sharer (ardhika) referred to here apparently relates to the cultivator of the do-

^{1.} IV, 2, 8-9 (SBE., XXXVI, 208).

^{2.} VI, 23.

^{3.} LVII, 16: Arddhikaḥ kulamitram cha dāsa-gopāla-nāpitāḥ, ete śūdreshu bhojyānnā yaśchātmānam nivedayet. Nanda-paṇḍita thus comments: Arddham kshetraphalam yo rājñe samarpayati so-arddhikaḥ, arddhasīrina iti...(quoted in Jolly's text).

^{4.} III, 22.25 (SBE., VII, 16).

main land (Cf. Arddhasītika of Kauṭilya). It is to be noted that the custom of half-sharing of the produce is known in South India as 'Ardheli', a term which implies 'a leasehold tenure under which half the gross produce goes to the landlord's share.'

Narada and Brihaspati make a clear distinction between the property of the king and that of private individuals in their statement of the law of Prescrip-Thus Nārada enjoins that the property enjoyed by strangers for ten years (the owner having raised no objection) is lost; but an exception is to be made in the case of the property of the king, that of a learned Brahmana, of a child etc., but if the property of a Brahmana, a child. etc. be enjoyed for twenty years, it is lost, but not so in the case of the king's property, which is never lost. According to Brihaspati possession without a written title does not create ownership in the case of a property belonging to the king.3 In one place Nārada however tells us that 'all subjects are subordinate: the lord of the earth is absolute,4 which may be taken to mean that he was absolute as the ruler of the land and not necessarily as the absolute owner of the land. The Sukranīti appears to have been written entirely from the stand-point of the king and of the central government. Not only is there no

^{1.} See Kisamwar Glossary of Kanarese words by Ullal Narasinga Rao, 91.

^{2.} I, 81-83. (SBE., XXXIII, 61-62).

^{3.} IX, 12. (SBE., XXXIII, 3I1).

^{4.} I, 1, 33: Asvatantrāh prajāh sarvāh svatantrah prithivīpatih (SBE., XXXIII, 50.)

reference to the system of local government as carried on by the village-communities, but there is a tendency in the whole work to make the king an autocrat. The work has thus left out a detailed consideration of the ordinary rules of ownership applying to land and has referred to the 'Sastras' for them. Thus says Sukra: 'Hence ownership is to be admitted only if the Sastras sanction, it is not brought about by mere enjoyment.....For the preservation of the community these have been fixed by previous sages." So far as land is concerned, Sukra's treatise thus relates mostly to the royal domain. It has already been pointed out that the village types of the Sukraniti relate to the newly founded villages and that the village-officials were apparently appointed by the crown (Ch. II § § 5, 7). Sukra lays down: 'One should not give up even an angula (finger-breadth) of land in such a way as to part with rights to it; or he may give away to persons for their maintenance so long as the receiver lives.'2 It thus follows that the Sukraniti also recognised two-fold classification of land, but that the treatise relates mostly to the royal domain so far as our subject is

Ch. IV § 5, 297-298: Tasmāch-chhāstrata eve syāt svāmyain nānubhavādapi, asyāpahritametena na yuktam vaktumanyathā. Pūrvāchāryaistu kathitam lokānām sthitihetave.

I, 211: Na dadyāt dvy-angulamapi bhūmeḥ svatva-nivarttanam, Vrittyartham kalpayet vāpi yāvad grāhastu Jīvati. Cf. Kautilya: karadebhyaḥ kritakshetrāṇy-aikapurushikāṇi prayachchhet (p. 47).

concerned. In the Kathāsaritsāgara, a work of about the middle of the eleventh century A. D., we learn that king Udayana at the birth of his son, gave away everything except his kingdom, and that he retained not because he was greedy but because he was afraid of doing an unseemly act.¹ This shows the limited nature of the king's right with regard to land.

§ 7. The views of some commentators. The views of the commentators on the text of Jaimini (na bhūmih syāt sarvān party-avisishtatvāt) deserve special notice in this connection. Savarasvāmī writing about the fifth century A. D., says that the passage does not refer to the entire earth, since no king governs the whole of it. Land cannot be given away by a monarch (sārvabhaumah), for, he has no more right of enjoyment over the earth generally than any other man. narch rules over a portion of the earth by reason of his protecting its products, and all beings have the rights as he to stand or walk upon the soil. Parthasarathi (c. 1300 A. D.) lays down that the king's office is to protect his kingdom, to suppress disorder, to collect taxes from the cultivators and to punish culprits, but this does not make him the owner.3 Hence a monarch cannot give away his territory as a whole, nor can a 'mandalika' (provincial governor) give away his mandala.

^{1.} Anauchityabhayena na tu bhoga-trishnayā (XXIII, 67).

Śāstradīpikā, p. 511 and Jaiminīyanyāyamālā-vistaraḥ,
 p. 358.

^{3.} Rājyam hi svavishaya-paripālana-kaṇṭak-oddharaṇa-bhṛi-

dhava (c. 14th century A. D.), the author of the Jaiminīyanyāyamālā-vistara', maintains the same view. He says that the earth is not the king's possession (dhana), but that on the contrary all living beings, enjoying the fruits of their work, have common rights in the earth; hence although a portion of land may be given, a territory as a whole cannot be given away by a king. Speaking of the rights of a kshatriya conqueror, Nīlakaņtha, the author of the 'Vyavahāramayūkha', lays down in support of Jaimini: 'In conquest also, where there is ownership of the conquered in houses, lands, money or the like, therein only arises the ownership even of the conqueror; but when the conquered has a right of taking taxes only, the conqueror has even the same and no ownership. There it is stated in the sixth book of Pūrvamimāmsā. 'The whole earth cannot be given away by the king of the world, nor the mandala (dependency) by the ruler of that dependency. The ownership in each village, field and the like of the whole earth or the dependency belongs solely to the respective bhumikas or landlords. The ruler has only to take the taxes. Hence in what is now technically called a gift of land etc., a gift of the soil is not accomplished, but only a grant of due allowance (is provided).'2

ti-vrittitvena karshakādibhyaḥ karādānam daṇḍebhyaścha daṇḍādānam-ityetāvān sambandhaḥ nahi svāmitvam.

Kintu tābhyām bhūmau svakarmaphalam bhuñjānām sarveshām prāninām sādhāraṇam dhanam. Ato-sādhāraṇasya bhūkhaṇḍasya satyapi dāne mahābhūmerdānam nāsti.

^{2.} Vyavahāramayūkha, translated by V. N. Mandlik, pp. 34-35.

Vijňanesvara (1076-1127), an authority on our period, discussing the nature of private property in connection with the distribution of 'daya' or property, lays down that 'land passes by six formalities, (namely), by consent of townsmen, of kinsmen, of neighbours, and of heirs, and by gift of gold and water." To explain the expression 'by gift of gold and water' he quotes a text to the effect that 'in regard to the immovable estate sale is not allowed, but a hypothecation may be made with the consent of persons interested.'2 Vijñānesvara thus indicates the permanent tenure of land, whether it be of the king or of private individuals. The commentators thus make it clear that private rights in land existed side by side with the king's ownership of his lands, and according to Nilakantha the king while making a gift of land (evidently land under private possession) only parted with his own share or melvaram.

§ 8. Fa-hien and Hiuen-Isang on the Royal Domain. The Chinese travellers Fa-hien (399-411) A. D. and Hiuen-Tsang (630-644 A. D.) make direct references to the royal domain. Says Fa-hien: 'Only those who cultivate the royal land have to pay (a portion of) the grain from it.' Hiuen-Tsang tells us: 'Of the royal land there is a four-fold division: one part is for the expenses of go-

Mitāksharā (Dāya-vibhāgaḥ): Svagrāma-jñāti-sāmantadāyādānumatena cha, hiraṇyodaka-dānena shaḍbhir gachchhati medinīti. Sthāvare vikrayo nāsti kuryād-ādhim anujñāya. (Gharpure's Edn. p. 76.)

^{2.} Ibid.

^{3.} Fow-kow-ki, translated by Legge, p. 43.

§ 9. The Evidence of Inscriptions. It is unfortunate that, though the number of inscriptions is very huge, the references to the royal domain are very few. So far as the North Indian inscriptions are concerned, we already pointed out (Ch. II § 5) that, in granting certain villages, the king only alienated or probably could only alienate by way of gift, his share of the income from them, and in granting certain other villages he conferred on the donee absolute right of disposal. These two types of villages probably represent villages belonging to private persons and villages lying within the royal domain.

In the Ganga Kingdom of the South the crown lands seem to have been known as Panya or panneya land. A record of the reign of Mārasimha dated 971 A. D. refers to a panneya land (royal farm) situated to the south of Kalbappu. An inscription of Rāchamalla III (989-1005) registers a gift of 200 mattars of nīlpanya land. In the Kisamwar Glossary of Kanarese Words 'panya' is explained as 'Lands formerly held by the rajas and now leased out on condition of their being surrendered when the government makes a demand; crown-land. 'From a

^{1.} Watters, Yuan Chwang, I, p. 176.

^{2.} EC., IV, p. 1, see also Introduction, p. 12 (E. C.)

^{3.} EL., VIII, pp. 51, 58.

^{4.} By Ullal Narasinga Rao, p. 95.

Pāṇdya record we learn that king Jaṭāvarman Pāṇdya made a gift of land from his own personal property for the morning service in the temple at Kunrattur with the apportionment of Karanmai and Mīvātchi on the lands between a certain individual and the god. Some of the inscriptions refer to a tax called 'pannaya', which was probably realised from the 'panya' or 'panneya' lands. A Chālukya record of 1108 A. D. refers to a great minister who ruled in peace 'the pannaya (i. e., the land yielding pannāya) of the Nolambavadi 32000." Another Chālukya record of about the same time refers to Govinda Raja as having received 'the Banavase 12000, the Vadda rāvula' and the pannāya dues of the 56 (district)' within his jurisdiction. Another record of the reign of Govinda Rāja Chālukya dated 1114 A. D. refers to the king as ruling the Banavase 12000, the Santalige 1000, two six hundreds (i.e., districts), the vadda rāvula' and pannāya, in the royal city of Balipura.'4 A Hoysala inscription of 1162 A. D. tells us that a great minister made a Devadana grant of, among other things, 'a pannaya tax (pannayadere) on 500 ploughs (? guliya).'6

^{1.} MER., 1923-24, p. 42 (no. 27). The taxes have been explained in Ch. XI, § 6, and Appendix A.

^{2.} Mys. Ins., p. 18.

^{3.} Mys. Ins., p. 140.

^{4.} Ibid., p. 178.

EC., IV, Hunsūr Taluq, no. 137, p. 156: (translation, p. 97). The translation is misleading.

§ 10. Management and Organisation of the Royal Domain. We have no systematic information about the management and organisation of the royal domain. The earliest account is probably that given in the Arthasastra of Kautilya. In the Salikedara Jataka, however, we have a reference to its being leased out, at least partially. A Brahmana named Kosiyagotta, after having taken a portion of the land belonging to king Magadha, sowed paddy in it, and "when the crop was standing he made a stout fence and gave the land in charge to his own men, to one fifty, to one sixty, and so he distributed among them 500 karīsas of his estate. The other 500 he delivered to a hired man (bhataka) for a wage, and the man made a hut there and dwelt there day and night."2 The Jataka is however silent about the king's share as well as about that taken by the 'bhataka', that is, the labouring sub-lessee of the field.

During the Maurya administration the domain land appears to have been organised into three main divisions, namely, the division consisting of the villagesites, including the adjoining cultivable fields, ponds, rivers etc; the division consisting of the forest tracts and the waste tracts; and the division consisting of the cultivable tracts under the direct management of

^{1.} IV. p. 276-77 (tr. IV no. 484).

^{2.} Cf. Bk. II, ch. I.

^{3.} Cf. Bk. II, Ch. II (Arth.)

the Superintendent of Agriculture (Sītādhyaksha).1 As to the first division, we notice that new villages were set up with agricultural families of the Sūdra caste (See Ch. II, § 2), and plots of land were granted to those who performed sacrifices, spiritual guides, priests etc., free of taxes and fines as well as to certain royal officers with limited rights (See Ch. II, § 2). The second group of land will be treated of in Chapters VIII and IX. So far as the cultivable tracts under the direct management of the state were concerned, we have already discussed the special conditions that attached to them in § 3 of this chapter. The Sītādhyaksha (Superintendent of Agriculture) apparently managed this class of land. 'Possessed of the knowledge of the science of Agriculture dealing with the planting of bushes and trees, or assisted by those who were trained in such sciences.'2 He looked after the agricultural operations of the state lands. He was apparently well-versed also in the science of rain-forecasting. Says Kautilya: 'According as the rainfall is more or less the superintendent shall sow the seeds which require either more or less water.'s He carried on his work with the assistance of hired labourers, slaves and prisoners, grāma-bhritakas (Cf.

^{1.} Arth., Bk. II, Ch. 24.

^{2.} Ibid.

^{3.} Ibid.

^{4.} Arth: Vahuhala-parikrishtāyām svabhūmau dāsa karmakara-daņda-pratikarttribhir vāpayet.

bhataka of the Jataka period) or village labourers and Vaidehakas or labourers from outside. His work was not unlike the management of the Agger Publicus in the occupation of the Roman aristocrats of the post-Punic War period or of the management of the manor of the Norman nobility by the bailiff in the eleventh century in England.2 When there was a shortage of labourers under his direct control he let out the unsown fields to Arddhasītikas or half-sharers (Cf. ardheli of Soutn India)3 or to independent workers (svavīryopajīvinah) for one-fourth or one-fifth of the produce4 (the crown receiving three-fourths or four fifths). The Sitadhyaksha also realised one fifth of the produce as waterrate from those who irrigated their fields by manual labour, one-fourth from those who irrigated their fields by carrying water on shoulders, one-third from those who used water-lifts, and one-third or one-fourth from those who used the water from rivers, lakes, tanks and wells. We further note in this connection that the

^{1.} Arth., p. 47 (tr. Bk. II, Ch. 1) Vaidehaka in the sense of tradems appears to be inappropriate. It seems to stand in contrast to grāmabhritaka. Cf. the Purak-kudi and ul-kudi of South India.

^{2.} See Economic History of England by Meredith, p. 32.

^{3.} See § 6 of this chapter.

Vāpātiriktam arddhasītikāḥ kuryuḥ. Svavīryopajīvine vā chaturtha pañchabhāgikāḥ (Arth., p. 116). Cf. Strabo's statement (§ 3).

Hastaprāvartimam-udaka-bhāgam pañchamam dadyuḥ.
 Skandhaprāvarttimam chaturtham. Srotoyantra-prāvar-

learned in the Vedas and those engaged in making penances were allowed to take from the fields, without any hindrance, ripe fruits and flowers for worshipping gods and rice and barley for the purpose of performing 'agrayana' (a sacrificial performance at the commencement of the harvest season).

Nārada seems to make an indirect reference to the management of the agricultural tracts by an official called Kauṭumbika. 'One appointed to manage the property of the family and to superintend the household must also be regarded as a labourer. He is also termed Kauṭumbika (the general family servant)'2. Jagannātha, a commentator on Nārada takes 'Kauṭumbika' to imply the royal official who among other duties, collected the crops from the fields.²

ttimameha tritīyam. Chaturtham nadīsarastatāka-kūpodghāṭam (Ibid). The distinction between these different methods of irrigating the fields is not very clear.

^{1.} Arth., pp. 118 ff. For other details in connection with cultivation see chapter VII.

^{2.} V, 24: Artheshv-adhikrito yah syät kutumbasya tathopari So-pi karmakara jñeyah sa cha kautumbikah smritah.

^{3.} Tathā cha rājādeḥ prajāpālanādirūpeshu tatkaragrahanādi-kāryeshu yuddhopayukta-senārakshā-pratipālanādirupeshu vā itareshāmapi bhūmigata-sasyānayanādi kritadravya-samgrahādishvapi adhikrita ityarthaḥ. Evampade niyuktopi bodhyaḥ. (Quoted in Jolly's edition of Nārada, p. 146). Cf. Devaṇabhaṭṭa's commentary on 'artheshu' in the sense of 'kshetra-hiraṇyādishu' (Smriti Chandrikā, Vyavahārakāṇḍa, II, p. 459). Kauṭumbika may also have been appointed by private land-owners.

According to the Sukranīti a minister (amātya) and the Sumantra were in charge of the land-administration. They kept a detailed record of the cities, villages, cultivated tracts, uncultivated tracts, forest tracts, the amount of yield from each kind of land etc. Villages on the basis of the yield of revenue from each and in accordance with a specified size, appear to have been set up in the royal domain; house-sites of different sizes in these villages were given to people of different castes.2 Sukra enjoins the king to receive rents from the owners of house-sites as well as from the cultivated tracts. Likewise the king should also realise a land-tax from the shop-keepers. With regard to the cultivable tracts it is laid down: 'Having ascertained the amount of produce from the measured plots of land, whether great, middling, or small, the king should desire revenue and then apportion it among them.'4 The king is also to realise one third of the produce from places irrigated by tanks, one-fourth from places irrigated

^{1.} See Ch. X, § 4.

^{2.} See Oh. II, § 4.

^{2.} Ch. IV § 2, 128-129 (Sukranīti).

^{4.} Ch. IV § 2, 112: Vahumadhyālpa-phalitām bhuvam mānamitām sadā, Jñātvā pūrvam bhāgamichchhuḥ paśchādbhāgam vikalpayet. In one place we are told that the area of the (easily) cultivated land is 100, 000 sq. cubits, and that of a hard piece of land 400 sq. cubits (Sukra., I, 208-209). I suppose these verses relate to the amount of land that could be given to one individual for cultivation out of the royal domain.

by canals and wells, half from places irrigated by rivers and one-sixth from barren and rocky soil.¹ This scale of taxation varies a little from that given by Kautilya. Like Kautilya Sukra recommends that the king should not levy taxes on those who are preparing cultivable lands till they realise double of what they spend.² The king is also enjoined to make gifts of land for gods, for parks and public grounds and for dwelling houses;³ but it is laid down that land should not be given in such a way as to part with rights to it. In other words, the king is to give only the user of the soil either as melvaram (superior share) or as kīlvāram (inferior share) or both.

We have no direct evidence to show how the Panya or Panneya lands were managed. But from the later customs we learn that these were managed almost exactly like the royal domain of the Mauryan age. Says Baden-Powell: 'As a curious relic of the distinctively Dravidian institutions of Coorg I should mention that the raja not only took revenue from the demesne or territory directly under his own rule—as distinct from that held by his chiefs—but also had special allotments of land (the Majh-has of South-western Bengal). These were called 'panniya', and consisted of farms and estates, scattered over the domain,

^{1.} Śukra., Ch, IV, § 2. 115-116.

^{2.} Sukra., Ch. IV, § 2, 122.

Ibid., I, 212: Guņī tāvat devatārtham visņijechcha sadaiva hi, Ārāmārtham grihārtham vā dadyāt drishţvā kuţumbinām.

the produce of which went entirely to the king. In some cases the lands were cultivated by metayer tenants, but ordinarily by a large body of slaves. The farms were exceedingly well cared for and highly cultivated." According to a Chola record dated 1050 A. D. the king agreed to receive as the landlord's share two-fifths of the wet crops and one-fourth of the dry-crops in Mannai-nadu. An inscription of the fortieth year of Kulottunga I records the resumption by the king of the ownership of certain lands belonging to a temple, because the tenants had failed to cultivate them. The king however gave back the lands to the temple trustees. This apparently relates to the panya land.

From what has been set forth above it follows that throughout ages a distinction was maintained between the king's own land and the land of private individuals. The king had the absolute right of use and disposal of his own lands; and with regard to the land of private individuals he was entitled, as the protector of his territory, to a share of the produce or to a moneytax or to both. He could make over his share of income from the private lands as gift to any one or in any way he liked (without detriment to private owners). In certain cases the king exercised the right of appropriating private lands, e. g., in default of heirs or in serious offences. Apart from this the royal domain

^{1.} LS., III, p. 476.

^{2.} EC., IX, p. 33. (no. 25).

^{3.} MER., 1920-21, pp. 61, 98. (no. 39).

^{4.} See Ch. VI § 7.

Though the king is enjoined to respect private property in a conquered territory, it was no doubt at his option to do so or not. Again, the emergence of the idea of the divine origin of kings conduced to the growth of a tendency to identify sovereignty with territoriality. An autocratic regime could easily assert such a principle. Thus it is that in the literature of Ancient India a contest is noticeable between the Kshatriya prince on the one hand and the Brahmanical writers on the other on the problem of the ownership of land.

CHAPTER V.

PRIVATE OWNERSHIP OF LAND, AND THE LAW OF PRESCRIPTION.

Land under private ownership may be broadly classified into two groups, namely, private land in general and the Devadāna, Brahmadeya and analogous lands. The special conditions attaching to the latter are discussed in the next chapter. In the last chapter we examined the position of the king with regard to land. Here we examine the position of the private owners. As it is foreign to our purpose to enter into

Cf. the aggressive policy advocated in M. VII, 99; Santi. CXL, 5; Arth., 9 etc.

^{2.} See Arth. Bk. VII, Ch. 11 (tr.).

^{3.} Cf. the statement of Nīlakantha in § 7 of this chapter.

^{4.} For an interesting discussion on the problem of the Ownership of the Soil in Ancient India, See Indian Historical Quarterly, Vol II no. 1, p. 198 ff.

a detailed discussion of the abstract idea of property, proprietary right and ownership, we only briefly outline here the most essential features of such ideas for a clear comprehension of our subject. Both Vijnanesvara and Devanabhatta, the two authorities on our period, draw upon the old Smriti literature in connection with their discussion of property and ownership. It would thus be in the fitness of things to trace the idea of ownership of land from the Smritis.

§ 1. What constituted ownership: the Legal Modes of Acquisition of Property. According to Nārada title together with possession constitutes ownership (I, 84). He further says that mere possession is not sufficient to constitute ownership. But he makes an exception in the case of an owner who has no title but who is in enjoyment of his possession, having received it in due succession from his great-great-grand-father. When possession has been successively held, even unlawfully, by the three ancestors of the father (of the present possessor) the property cannot be taken away from him, because it

^{1.} For a detailed discussion see P. N. Sen's Hindu Jurisprudence, pp. 51 ff.; Recht und Sitte (Jolly), p. 90 ff.; and LTMP., p. 36 ff.

Mitāksharā (Dāyabhāga) and Smritichandrikā, Vyavahārakāṇḍa, (bhuktinirūpaṇam).

^{3.} I, 84 (SBE., XXXIII, 62) Agamena visuddhena bhogo yāti pramāṇatām, avisuddhāgamo bhogaḥ prāmāṇyam naiva gachchhati (Jolly's edition, p. 70). Cf. I, 87. Cf. Brihaspati, IX, 3. 4.

has gone through three lives in order. By this he apparently means to say that long possession creates a title, but this is a disputed point (see the Law of Prescription, §§ 4, 5). The nature of the title is defined in connection with the discussion of the modes of acquisition of property. The Gautama Dharma Sūtra lays down that 'a man becomes owner by inheritance, purchase, partition, seizure, or finding.' Acceptance is an additional mode of acquisition for a Brahmana, conquest for a Kshatriya and gain by labour for a Vaisya or Sudra. According to Manu inheritance, finding, purchase, conquest, lending at interest, doing work, and acceptance of gifts were the various ways of acquiring property in general. Narada classifies wealth in general into three groups, namely, the white wealth, the spotted wealth and the black wealth according to the mode of acquisition. The white wealth is acquired by the following means: inheritance, sacred knowledge, practice of austerities, valour in arms, instructing a pupil, sacrificial performances, and with a maiden (evidently by marriage); the spotted wealth is made thus: lending money at interest, tillage, commerce, sulka, artistic performance, servile attendance and a return for a benefit conferred

^{1.} I, 91: Anyāyenāpi yadbhuktam pitrāpūrvatarais-tribhih, na tach-chhakyam-apākartum kramāt tripurushāgatam.

X, 39-42. Cf. Vasishtha, XVI, 16. (SBE., II, 231 and XIV, 81).

^{3.} X, 115.

on some one; and the black wealth is obtained in the following ways: bribe, gambling, bearing a message, through one afflicted with pain, forgery, and fraud. Narada further lays down that the legitimate modes of acquisition for a Brahmana are alms, by sacrificing, and through instructing a pupil; for a Kshatriya are taxes, fighting, fines imposed in lawsuits; for a Vaisya are tillage, and by tending cows and carrying on commerce; and for a Śūdra by what is given him by the upper castes. According to Brihaspati the legal ways of acquisition are inheritance, acceptance of dowry, purchase, valour, mortgaging, learning and succession to the property of a kinsman who has no issue.

It is true that many of these ways of acquiring wealth relate to movable property, but it is also clear that immovable property like land may be acquired by inheritance and succession, which involve acquisition by partition and acceptance of dowry; by purchase, which implies commerce: by conquest and occupation or valour; and by acceptance of gifts in return for instructing a pupil. Acquisition by mortgaging is mentioned by Brihaspati only but this need not form a different mode, as purchase would be the result if the mortgage is not released. Brihaspati in making separate mention of purchase and mortgaging probably

^{1.} I, 44-47. (SBE., XXXIII, 53-54).

^{2.} IX, 2-3. (SBE., XXXIII, 309).

draws our attention to the external forms of acquisition. In Nārada's elaborate classification this point is more clearly brought home. In connection with his white wealth, acquisition by sacred knowledge, practice of austerities and sacrificial performances may be regarded as a varied form of acquisition accruing from one's religious learning. Similarly, Manu's 'doing work' practically amounts to Nārada's tillage, commerce, artistic performance, servile attendance etc. It is thus apparent that the śāstras practically concur in their opinion about the ways of acquisition of property, though they slightly differ in defining its external forms.

§ 2. The Rights of Private Owners. From the very modes of acquisition it follows that the land under private owners could pass from generation to generation under the customary rules of Inheritance and Succession.¹ The owners of such lands could sell their land according to their option, subject of course to the restrictions imposed by the village-community in the interest of the whole village.³ They could also mortgage their property³ and make gifts of it.⁴ A South Indian Inscription dated 1157 A. D. re-

See the chapters on Dāyabhāga in the Mitāksharā and the Smriti Chandrikā.

Nārada, VIII, 4: Bṛihaspati, VIII, 4. 7. See also Ch. II § 8 and Ch. III. § 6.

^{3.} Br. VIII, 4. 8.

^{4.} Br., XV, 4. Cf. VIII, 4. 6.

cords the gift of a certain nobleman to a private in dividual in Vīraņpākkam of a village on his property including wells, trees, and boundaries with right to sell, mortgage or exchange it. This record typically illustrates the rights exercised by the private owners of our period.

§ 3. The Limitations of the Rights of Private Owners. The enjoyment of the abovenamed rights necessarily involved the existence of a well-ordered government. The private owners had thus to pay for the maintenance of this government. The dues payable by them was theoretically one-sixth of the produce, but it varied, specially in the South, according to local customs (See Ch. XI). Though we do not hear of confiscation of land, as a rule, in default of payment of these dues from the private owners, we learn from the South Indian Inscriptions that the defaulters were sometimes compelled to sell their lands, at least a part of it, for payment of the royal dues. A record of the reign of king Kō-Perunjinga of the Pallava dynasty shows us the way in which the government

^{1.} SII., I, no. 74.

^{2.} Cf. the Roman idea of ownership (dominium or proprietas) which implied the right of using the thing, the right of enjoying its products, the right of consuming it, which included the right of sale, exchange, gift, mortgage, lease etc., the right of exclusive possession and enjoyment and the right of transmitting it to one's heir. See "The Institutes of Justinian" (Sandars), p. XLIX.

recovered the arrears of rent from tenants. On a scrutiny of the revenue accounts it was found that the dues of a deceased tenant who had cultivated lands in different places were in arrears from the 23rd to the 25th years of the king's reign. The wife and the son of the deceased tenant, having been pressed for the payment of the dues, pleaded poverty and appealed to the authorities to appropriate, in lieu of the dues, a particular plot of land belonging to them, as temple property, and protect them. The land was accordingly sold with the knowledge of her husband's brother as surety. The proceeds of the land thus transferred were utilised for offerings and lamps in the temple.1 It is however not clear from this inscription if the tenant referred to here was a cultivator of the royal domain or not. As the village assembly was responsible for the collection of the royal dues2 from a particular village, it naturally looked after all relevant details in connection with the realisation of the revenue. Confiscation of property by the king was therefore out of the question with regard to such lands. Though according to Nārada the king had the right to confiscate the whole property of a man, this right he exercised probably in cases of grave offences only.3 The

^{1.} MER., 1923-24, pp. 99, 79 (no. 432).

^{2.} See Ch. III, § 8.

Kākany-ādistvartha-dandah sarvasvāntas-tath-aiva cha, Śarīrah samnirodhādir-jīvitāntas-tathaiva cha. Nārada, Appendix, 54. See also XV-XVI, 30 (SBE).

South Indian inscriptions record many such cases of confiscation. Thus a number of inscriptions of the time of the Cholas and the Pāṇḍyas records the confiscation of Brahmadeyas of Brahmana criminals.¹

With regard to the law of Inheritance and Succession it should be noted that according to the Dharma Sūtras and Śāstras land in default of any legal heir passed over to the king. The Gautama Dharma Sūtra thus lays down that the property of a Brahmana who leaves no issue (apparently, no successor) is divided among the Brahmanas, but the king appropriates in such cases the property of men of other castes.2 According to Apastamba: 'On failure of all (relations) let the king take the inheritance.'s Vasishtha and Baudhāyana are also of the same opinion. Vasishtha however excludes a Brahmana's property from the operation of this law. Vishou (XVII, 14), Manu (IX, 188-189), and Nārada (XIII, 51) also make the king the owner of the property having no legal heir. Nārada further says that as to the property of a merchant the king, in default of legal heirs, should keep it unoccupied for ten years only, after which period he ap. pears to appropriate it. Brihaspati limits the period

^{1.} See Ch. VI. § 7.

^{2.} XXVIII, 41 (SBE., II, 309).

^{3.} II, 14, 5 (SBE., II, 134).

Vas., XVII, 83-86 (SBE., XIV, 93). See also XVI, 19. Baud., I, 11, 14-16 (SBE., XIV, 179). Cf. I, 18, 16 (SBE., XIV, 201).

^{5.} III, 18. (SBE, XXXIII, 127).

to three years in the case of the property of a deceased partner in business.1 The Mitāksharā, commenting on the views of Manu (VIII, 30) that 'property, the owner of which has disappeared, the king shall cause to be kept as a deposit for three years; within the period of three years the owner may claim it, thereafter the king shall take it', says that 'it shall necessarily be preserved for three years. If the owner comes within a year the whole should be returned to him. Where however he returns after more than a year, in that case, after deducting some portion as a preservation charge, the remainder should be made over to the owner. As has been said (by Manu, VIII, 33): Then the king bearing in mind the law among good men, may take one-sixth part of the property lost and afterwards recovered, or one-tenth or at least one-twelfth.' In such a case in the first year the whole should be given, but in the second after deducting a twelfth portion, in the third a tenth and a sixth in the fourth and in the following years the remainder should be restored to the owner. When however the owner does not turn up, a fourth of the entire property should be given to the finder and the remainder may be taken by the king.2 From this strained interpretation of the law it appears that Vijñānesvara was not much inclined to admit the right of the king to appropriate ownerless property.

In matters of sale and purchase the king was enti-

^{1.} XIV, 13.

^{2.} pp. 60-61 (translation by Gharpure).

tled to a share of the sale proceeds. Thus, for instance, according to an East Bengal copper plate inscription one-sixth of the price was the king's share.¹ As to gifts of land the king appears to have exercised the right of confirming such acts of alienation. It was of course an act of formality, especially in the case of Brahmadeyas and Devadānas, as the king never witheld his permission in such cases.²

§ 4. The Law of Prescription as embodied in the Texts of the Sastras. So far as relations between private individuals were concerned regarding land, the Law of Prescription, that is, the effect of long adverse possession without any opposition from the true owner, appears to have played an important part for ages. This law thus deserves special consideration in connection with the land-system of Ancient India. Dr. P. N. Sen, in his 'Hindu Jurisprudence,' discusses this law as it is to be found in the commentaries on the Sastras. The view-point Dr. Sen occupies is that of the jurist and not that of the historian. From the standpoint of the latter his study of the subject presents at least two difficulties. First, how far are the commentaries quoted by Dr.

^{1.} Ind. Ant. XXXIX, PP. 197-198. See Ch. II § 8.

Of. Nārada, XVII, 47: Ya eva kaśchit svadravyam brāhmaņebhyaḥ prayachchhati, tad-rājñāpy-anumantavyamesha dharmaḥ sanātanah.

^{3.} Hindu Jurisprudence (published by the University of Calcutta) pp. 103-124.

Sen historically right in their interpretation of the Sastras? Law grows out of customs, and customs are likely to vary in different ages and in different places. Parāśara, an ancient compiler of Śāstra recognising this fact, says that laws (dharma) differ in different ages.1 The different Sastras apparently record the customs in their true reflex. Is it not therefore inaccurate to suppose that the law of Prescription as interpreted by the commentaries of a later period prevailed necessarily during the earlier age? Secondly, even the commentaries themselves vary widely in their opinion and interpretation of a particular Sastric injunction. Dr. Sen has given us an account of some of these varying opinions. Since the publication of his book however the Vyavahāramātrikā of Jīmūtavahana has been brought to light,2 and this has added one more view-point with regard to the law. It may also be pointed out that neither the commentators nor Dr. Sen have utilised the statement of the law as contained in the Arthasastra. From the age of the commentators, which may be roughly taken as dating from the eleventh century A. D., an attempt has been made to reconcile the varying statements concerning the law. The earlier form of the law was thus diffe-

I, 2, 2: Anye kritayuge dharmas-tretāyām dvāpare pare, anye kaliyuge nṛṇām yugarūpānusāratah.

^{2.} Memoir, Asiatic Society of Bengal, Vol III, no. 5, pp. 341-346.

rent. From the standpoint of history therefore the customs concerning the prescriptive right of occupation should be stated in as accurate a chronological order as possible, showing thereby the development of the custom from the earliest times, or, if possible, in the order of their value with regard to particular regions.

The law regarding the prescriptive occupation of land can be traced from the age of the Dharma Stitras. Thus says Vasishtha: Whatever belonging to these eight kinds of property (property inherited from father, a thing bought, a pledge, property given to a wife after marriage by her husband's family, a gift, property obtained for performing a sacrifice, the property of reunited co-parceners and wages) has been enjoyed by another person for ten years continuously, is lost to the owner." Gautama also holds the same view: 'The property of a person who is neither an idiot nor a minor having been used by strangers before his eyes for ten years, belongs to him who uses it." According to Kautilya, 'the owners, who have quitted their country where their property (dravyam)3 lies, shall continue to have their title to it. When the owners other than minors, the aged, those that are afflicted

^{1.} XVI, 17. (SBE., XIV, 81).

^{2.} XII, 37. (SBE., II, 243).

Jīmūtavāhana uses 'dravyam' in the sense of property in connection with the verse 'yenopāttam hi yaddravyam' etc. (Vyavahāramātrikā, p. 343).

with disease or calamities, those that are sojourning abroad, or those that have deserted their country during national disturbances, neglect for ten years their property which is under the enjoyment of others, they shall forfeit their title to it. Buildings left for twenty years in the enjoyment for others shall not be reclaimed. In this statement it will be noticed that ten years' de facto possession in the case of property, evidently including landed-property, and twenty years' possession in the case of buildings, were sufficient to constitute the prescriptive right of the intruder. Here Kautilya apparently makes a distinction between ordinary property on the one hand and property like buildings on the other, the latter being more valued. It should be remembered however that twenty years' occupation of a building also involves the occupation of some land therewith. Hence Kautilya really distinguishes between land with buildings and land without buildings. He does not raise any question about enjoyment in presence (sammukha-bhoga), or absence (parokshabhoga) of legal the does he refer to other fine distinctions made by the other authors of lawtexts and the jurist-commen-In place Kautilya tells tators. one

^{1.} Arth. p. 190: Bhogānuvṛittir-uchchhinna-deśānām yathās-vadravyāṇām. Yat svaṃdravyam-anyair bhujyamānam daśavarshāṇy-upeksheta, hīyetāsya anyatra balavṛid-dha-vyādhita-vyasani - proshita - deśatyāgarājyavibhramedhyaḥ. Vimśativarshopekshitam-anuvasitam vāstu nānu-yuñjīta (Tr. p. 241).

that during the absence of the king property belonging to another but enjoyed by (the latter's) kinsmen, the learned-in-Vedas and heretics, is not lost (to the legal owner). The absence of the king in such cases evidently implies that prescriptive right does not accrue in places where there is no established government, or where the governmental machinery is not working for reasons like national calamities (Cf. the previous passage from the Arthasāstra). This law was not however applicable in the case of sealed deposits, pledges, treasure-trove, trust-deposit, women's property, boundary, and property belonging to kings or priests. 2

Manu thus lays down the law: If a property enjoyed by others in the presence of its legal owner for ten years without any protest (from the owner), then he (the owner) does not get it back. If a person not being an idiot or a minor allows his property to be enjoyed by another, then (his title to it) breaks down and the person in enjoyment succeeds in litigation. Pledges, boundaries, wealth of infants, trust-deposits, sealed deposits, property of women, of king, of the learned-in-Vedas are not lost by enjoyment.' Elsewhere Manu says: 'Where possession exists but no title, there title is proof and not possession.' As this

^{1.} Arth., p. 191: Jñātayaś śrotriyāḥ pāshaṇḍā vā rājñāmasannidhau paravāstushu vivasanto na bhogena hareyuḥ.

^{2.} Arth., p. 191: Upanidhim-ādhim nidhim nikshepam striyam sīmānam rājasrotriyadravyāni cha.

^{3.} VIII, 147-149.

^{4.} VIII, 200.

is in conflict with the previous injunction, Jīmūtavāhana takes this to refer to short time occupation in presence of the opponent (see below). In Manu's statement of the law its evolutionary aspect is clearly marked. Here we do not notice the distinction between the occupation of land and the occupation of buildings, apparently because the distinction was only superficial. Kautilya's statement about ten years' occupation left room for the question, should this occupation be in presence or absence of the legal owner, and should it be with or without any word of protest being raised by him. In answer Manu added two clauses, namely, that the occupation should be in presence of the owner and that there should be no word of protest from the legal owner for these ten years.

The statement of the law as contained in the texts of Yājñavalkya, Nārada, Brihaspati, Vyāsa, Kātyāyana etc. are more or less conflicting, and these have been reconciled, or at least, an attempt has been made to reconcile them by the commentators. The differences between these texts might have been due either to their being compiled in different ages or to their prevalence in different parts of the country, or due to According to Yājñavalkya the period of occuboth. pation should be twenty years. Thus he says: 'He who sees his land being enjoyed by a stranger for twenty years, and his personal chattel for ten asserting his own years without right, them.' Here a distinction not observable in the

^{1.} II, 24: Pasyato-vruvato bhūmer-hāni vimsati vārshikī,

Manusamhita is made between movable property and immovable property, and the period of occupation or enjoyment of the latter as constituting prescriptive right is lengthened to twenty years, thus emphasising the superior value of land. The other conditions are the same as in Manu, namely, that there should be absence of protest (abruvatah) on the part of the legal owner and that the enjoyment should be in his presen-Brihaspati further lengthens the period of occupation: 'When a person has been in possession continuously for thirty years without any interruption, that possession will not be afterwards disturbed.'1 and Kātyāyana make the period three years. session has been held of an estate by three (successive) generations in due course, the fourth in descent shall keep it as his property, even without a written title.'2 Here it is to be noted that there is no mention of enjoyment either in the presence or during the absence of the legal owner. Vyāsa and Nārada³ are also of the opinion of Vishņu and Kātyāyana. Vyāsa further

Pareņa bhujyamānāyā dhanasya daśavārshikī.

Adhyāsanāt samārabhya bhuktir-yasy āvighātinī, Trimsa dvarshāny-avichchhinnā tasya tām na vichālayet. Quoted in Vyavahāramātrikā, p. 342.

Tribhireva tu yā bhuktā purushair bhūr-yathāvidhi Lekhyābhāve-pi tām tatra chaturthaḥ samavāpnuyāt. Vishnu, V, 187. Quoted in the Vyavahāramātrikā, p. 341.

Nārada, Riṇādānam, 91: Anyāyenāpi yadbhuktam pitrā pūrvatarais-tribhih, na tach chhakyam apākarttum kramāt tripurushāgatam. See Vyav. p. 341 for Vyāsa.

prescribes that each generation must occupy the holding for at least twenty years. 'Where father, grandfather, and great-grand-father do not live (at the same time), then the life time of the three (collectively) constitutes enjoyment for three generations.' When land has been enjoyed for twenty years, being unobstructed by the legal owner, then this constitutes enjoyment for one generation; twice that period for two generations; thrice that period for three generations. There is no need of looking for the title there.²

It thus appears that according to Nārada, Vyāsa, Vishņu, and Kātyāyana adverse possession for at least sixty years and for at least three generations was needed to constitute prescriptive right of the occupier. According to a text of Vyāsa, as quoted in the Smriti Chandrikā, adverse occupation should be in the presence of the owner: just as a neglected cow is lost for want of a cowherd, so the land which is enjoyed by others in presence of the (legal) owner, is lost.

Side by side with the above injunctions we may mention here a few more texts from the same authorities. These are apparently contradictory to what

Pitā-pitāmaho yasya jīvenna prapitāmahah, trayāṇām jīvatām bhogo vijñeyastat tripurushah. See Vyav. p. 341. 'Jīvechcha' in the text quoted is a misreading for jīvenna. This is clear from the commentary.

^{2.} See Vyav. p. 341.

^{3.} Sm. Ch., Vyavahārakānda, pt. I, p. 155: Upekshitā yathā dhenur vināpālena nasyati, pasyato-nyais-tathā bhūmir-bhuktā tena tu hīyate. Cf. the text from the Samvartta Samhitā quoted in the same book.

^{4.} Ibid.

we have discussed above. Thus says Manu: 'Where possession exists but no title whatever, the title is proof and not possession." According to Nārada, he who enjoys without a title for ever so many hundred years the ruler of the land should inflict on that sinful man the punishment ordained for a thief.'2 A similar injunction occurs in the texts of Kātyāyana. There is also an apparent difference of opinion about twenty or thirty years' occupation as well as about three generations' occupation as constituting prescriptive right. The Dharma Sastras themselves, in the form in which they have survived to us, do not make any attempt to reconcile these contradictory statements. It is the juristcommentators of later times who give us an explanation for these varying statements and make an attempt to reconcile them.

§ 5. The views of the Commentators. From about the eleventh or twelfth century onwards we notice that some jurist-commentators representing the different parts of India, took upon themselves the task of sifting the Sastric injunctions in a scientific way and drawing fine distinctions in the import and significance of the texts. All the commentators ignore the princi-

VIII, 200: Sambhogo driáyate yatra na driáyetāgamaḥ kvachit Āgamaḥ kāraṇam tatra na sambhoga iti sthitiḥ.

Rinādānam, 87. Anāgamantu yo bhumkte vahunyavdasatānyapi, Chauradandena tam pāpam dandayet prithivīpatih.

^{3.} See Vyav., p. 343.

ple of ten years' occupation as constituting any prescriptive right. Jīmūtavāhana, who flourished about the close of the eleventh and the beginning of the twelfth century A. D., expresses his views in the Vyavahāramātrikā.1 He reconciles the varying texts in a very clever way, and probably in a cleverer way than Vijnāneśvara. He raises at least four main issues in connection with the whole question of adverse possession. Firstly, what would be the effect of long occupation of a piece of land by a person with or without a title in presence of his opponents and without any opposition from the latter? As answer he quotes Vishnu² and Kātyāyana and lays down that in cases where possession is held for three generations without any opposition from the opponent, the fourth generation gets it as a matter of course and right, even though it be without any title. According to him three generations' enjoyment is constituted of three successive generations, each generation enjoying for at least twenty He further qualifies this prescriptive occupation by stating that each generation must enjoy the land in the presence of the opponent for twenty years without any opposition whatever (Vānmātrenāvirodhe) from him, or for thirty years with a verbal protest only

^{1.} Pp. 341-346. (Memoirs, Asiatic Society of Bengal, Vol. III, no. 5) The present edition of this work requires careful handling, as some corrupt readings have crept up, interfering to some extent with the meaning in some places.

^{2.} Quoted already in the previous section.

(vāchanikamātraḥ). He quotes Yājñavalky i (quoted above) in support of the twenty years rule and Brihaspati (quoted above) in support of the thirty years rule. Jīmūtavāhana seems also to hold that since twenty or thirty years' occupation of the above mentioned nature is sufficient to constitute prescriptive right of the possessor, the rule of three generations' occupation is more or less useless to the de facto possessor, and indeed it helps to constitute his prescriptive right. Secondly, what is the effect of a short time occupation by a person without any title in presence of the opponent? His answer is that this does not constitute any prescriptive right of the occupier, and he quotes Manu (VIII, 200, quoted already) in support. The third issue relates to adverse possession in absence of the legal owner (paroksha-bhoga). such cases, says Jīmūtavāhana, the injunctions of Nārada and Kātyāyana are to be followed. 'He who enjoys without a title for ever so many hundred years the ruler of the land should inflict on that sinful man the punishment ordained for a thief." 'He who is in possession of a property, having been prosecuted, must prove his title. Enjoyment for ever (of such property) does not entitle him to it (without a title being produced).' Imūtavāhana's fourth issue is con-

Nārada, Riṇādāna, 87: Anāgamantu yo bhumkte vahūnyavdasatānyapi, Chauradaṇḍena tam pāpam daṇḍayet pṇithivīpatiḥ.

Yenopāttam hi yaddravyam so-bhiyuktas-tad-uddharet chirakālopabhoge-pi bhuktis-tasyaiva neshyate.

cerning adverse occupation for a long time in presence of the opponent and in face of his (active) opposition. The jurist holds the opinion that in such cases title must be produced in support of the right of possession, and when the title is wanting, long occupation does not constitute any right whatever. He further says that when there is a question of inquiry into the title of this long possession, say, of three generations' occupation, the first generation and not the subsequent generations is expected to produce the title. In subsequent generations possession is a sufficient proof of title; if the title be produced the claim (of the occupant) becomes stronger. In other words, three generations' possession only gives rise to a presumption that the possession is legal and in cases where this is challenged title must be produced or the possession would be illegal.

The views of Vijnāneśvara, who flourished about the same time as Jīmūtavāhana, also requires special attention for the ingenious way in which the Śāstric texts have been interpreted as well as for the difference that exists between the Bengal School as represented by Jīmūtavāhana and the extra-Bengal school dominated by Vijnāneśvara. He expresses his views in connection with his comments on some texts of Yājnavalkya. He objects to the expression 'loss' (hāni)²

Quoted in Vyavahāramātrikā, p. 343.

^{1.} II, 24; II, 27 etc.

^{2.} Paśyato vruvato bhūmer hāni vimsati vārshikī Pareņa

as implying the loss of the right to land, as Jīmūtavāhana has taken it to mean. The grounds of his objections are mainly three. In the first place, 'Ownership does not become extinct on account of non-protest, non-protest not being known either in popular usage or in the Sastras as a cause of extinguishing ownership (just) as a gift or sale is. Nor is ownership acquired by possession for twenty years; because possession is not (the means of) proof of ownership; also because (of the rule that) evidence does not create the matter to be established: it has also not been mentioned among the circumstances giving rise to a title by ownership.'1 In the second place, it would not be 'correct to say that this very text (Yājňavalkya, II, 24) twenty years' possession as demonstrates a originating cause of ownership. A title by ownership and its origin are indicated by general popular repute (?usage) and not necessarily by the Sastra alone." In the third place, he means to say that Nārada (Rinādānam, 87, quoted above) is opposed to the theory that possession without title is the source of ownership. Evidently contradicting the interpretation given by Jīmūtavāhana, he says that it would not be proper to take this verse to refer to a possession without notice (to the owner). The text of Nārada, according to him, is general in its statement.

bhujyamānāyā dhanasya dasavārshikī. (II, 24).

^{1.} Mit. (tr.) p. 42, (original) p. 18.

^{2.} Ibid.

'As Kātyāyana also has said, 'The rule has been established that one who has forcibly taken away beasts, women or men, should not rest his case on possession (of these). Moreover, an extinction of title is not possible in case of a possession with notice, as it is improbable that any cause of an extinction of title would (be supposed to) exist." In the fourth place, 'It should not be supposed that in as much as the evidence in support of prior acts preponderates in cases of pledges, gifts and sales, this text is intended to lay down the preponderance of the evidence of transactions late in date amounting to twenty years' possession in case of land, and ten years' possession in case of wealth (movable). Since in the case of these in reality a second transaction itself is not possible, it is only (that which is) one's own (property) that is fit to be pledged, given away or sold. Nor can there be ownership over what has been pledged, given away or sold. Moreover, a penalty has been laid down for a gift and acceptance of that over which he (i. e. the giver) does not possess ownership' Vijūānesvara is further of opinion that though the cause of action may be lost in particular cases, the right itself does not become extinct. In the fifth place, he holds that there is even no danger of the loss of remedy in case of twenty

^{1.} Mit. (tr.) p. 43, (original) p. 19.

^{2.} Ibid.

^{3.} Ibid.

years' occupation of land, for, possession (which is) within memory can not be a cause of creating any apprehension as to the loss of title. He also denies that, by the use of the word 'twenty', it is intended to lay down the rule that possession for more than 20 years in itself serves as a refutation of all objections regarding the flaws in the document. After stating these objections Vijñaneśvara offers the follo ving interpretation of the text of Yājñavalkya (II, 24): 'Here the loss intended to be indicated is that of the profits (or accession) of the land as well as of the wealth, not of the corpus itself, nor of the right at law. For, even if at law the owner gets back the land after 20 years' possession without prote t by him, still he does not get a right to follow the proceeds, both on account of his own fault in the form of non-protest as also on account of this text.' Vijuanesvara also discusses the effect of long occupation, that is, three generations' occupation without a title and in presence of the opponent. He says, 'Possession creates ownership when it is for more than hundred years (which is) uninterrupted, without a protest (with the knowledge) and in presence of the opponent, and when the origin of title has not been determined, in as much as a (legal) title is presumed in the absence of (proof to) the contrary. Even in the case where possession extends beyond the memory of man, it is not evidence (of ownership) if there is a

^{1.} For other issues raised in connection with this see Mit. (tr.) pp. 45-46. (original) p. 20.

^{2.} See Mit. in connection with Yaj. II, 27-28.

tradition about its being without a title. Hence also it has been said, 'He who enjoys without a title even if it be for many hundreds of years, the ruler of the land shall inflict on that sinful man the punishment ordained for It should be noted that Jimūtavāhana takes a thief." injunction (Nārada, Rinādāna, 87) to apply to cases of adverse possession in absence of the opponent. Again, Vijnaneśwara's contention that long occupation should not be regarded as evidence of ownership if there is a tradition about its illegality, is directly contradictory to Narada's injunction that what has been enjoyed for three previous generations in succession, even though unlawfully, cannot be taken away.2 The jurist therefore argues that this injunction should be construed as follows: 'What has been posse. ssed cannot be taken away, even though it be unlawfully (held), what then where the illegality (of the posse. ssion) is undetermined? Jīmūtavāhana takes this injunction as referring to a case of adverse occupation for three generations in presence of the opponent without any opposition from him. We are rather disposed to think that Vijnaneśvara's interpretation is strained and Jimūtavāhana's more reasonable. But whatever the real intention of Nārada might have been, the

^{1.} Nar., Rinādānam, 87.

Nar., Rinādānam, 91: Anyāyenāpi yadbhuktam pūrvatarais-tribhiḥ, Na tach-chhakyam-apākarttum kramāt tripurushāgatam.

^{3.} Anyāyenāpi yadbhuktam-ity-etachchānyāyenāpi bhuktam apaharttum na śakyam. Kim punar-anyāyāniśchaya iti vyākhyeyam-api-śavda-śravaṇāt. P. 22 (tr. p. 52).

methods of interpretation employed by the commentators show that they were only laying down the customs of their ages and countries in conformity with the Śastras. In such attempts the texts have been sometimes twisted.¹

After having discussed these two great authorities on Hindu Law we may make only a passing reference to the minor commentators, since their views are in the line of either Jīmūtavāhana or Vijnānesvara.2 Devanabhatta, the author of the Smriti Chandrika, who flourished about the twelfth century A. D. and represented the Southern School, expresses the view that twenty years' adverse occupation in presence of the opponent (Yājāavalkya, II, 24) causes loss both of the usufruct and the land. Nīlakantha, representing the Marhatta School, upholds the view of Vijnaneśvara with regard to the interpretation of Yajñavalkya. II, 24.4 Mitra Miśra, who represents the Benares School, comes to the conclusion, after discussing the views of several commentators, that the law regarding twenty years' adverse occupation (Yājňavalkya, II, 24) applies where the legal owner has not asserted his title

^{1.} An instance may be given as to Yaj., II, 28: Agamastu kṛito yena so-bhiyuktas-tam-uddharet, na tatsutas-tatsuto vā bhuktis-tatra garīyasī. This reading is given in the Mitāksharā, but Jīmūtavāhana reads the second line of the verse as 'Tatsutas-tatsuto vāpi bhuktis-tatra garīyasī'.

^{2.} See Hindu Jurisprudence, p. 109 ff.

^{3.} Sm. Ch. I, 156.

^{4.} Vyavahāramayūkha (Mandlik's edition), p. 12.

in opposition to the occupier, and the thirty years' rule (according to Brihaspati, quoted above) applies where there has been verbal protest only on the part of the legal owner.¹ Aparārka is not very definite in his views. He interprets 'loss' (hāni) in Yājñavalkya, II, 24 as the absence of any relation with the legal owner (svasvāmī-sambandhābhāvaḥ) and is of opinion that as a matter of fact loss of ownership under such circumstances is not caused.²

The Sastric injunctions and the commentaries on them thus make it clear that the Law of Prescription with regard to land varied in different ages and in different places. Whereas in older times the tendency was to recognise prescriptive occupation after an adverse possession for a shorter period, the tendency in later times was otherwise. This illustrates the fact that land gained in value in later times. The importance attached to this law by Vijnaneśvara and Devanabhatta on the one hand and Jimutavahana and the other commentators on the other shows that it played a very important part not only in the South but also elsewhere.

§ 6. Conditions governing Legal Occupation and Enjoyment of Property. On the basis

^{1.} Vīramitrodaya (Calcutta edition), pp. 202-219.

^{2.} Aparārka on Yājñavalkya (Anandasrama edition), p. 631. Discussing these varying opinions Dr. Sen comes to the conclusion that the texts themselves laid down not merely a rule of limitation or a rule of evidence but a rule

of the Sastric injunctions and their commentaries we may thus lay down the conditions that governed legal occupation and enjoyment of property.

The legal ownership of a property (bhukti) is constituted of title together with actual occupation. Nārada: 'A clear title having been produced, possession acquires validity: possession without a clear title does not make evidence of ownership.' According to Vishņu (V, 185) and Kātyāyana: 'What has been possessed in order (samyak) and with a legitimate title (such as purchase, donation etc.), the possessor may keep; it can never be taken from him.' Narada further says: 'Though a document be in existence and witnesses living, that is no (true) property of which possession is not actually held. This is specially true as regards immovables.22 Yajnavalkya is also of the same opinion: 'In a title also there would be no force if there is no possession even for a short time.'8 Vijnaneśvara thinks that this refers specially to gifts and thus elaborates it: 'A gift is that when there is a cessation of one's ownership and the commencement of another's ownership. The commencement of another's ownership is secured if the other accepts it as his own

of extinction of title by operation of law' (Hindu Juris-prudence, p. 110).

^{1.} Rinādānam, 85.

^{2.} Ibid, 77. Quoted in Sm. Ch. I, 154.

Agamepi balam naiva bhuktih stokāpi yatra no. Yaj., II, 27.

and not otherwise. Acceptance, moreover, is three-fold, mental (mānasaḥ), verbal (vāchikaḥ), physical (kā-yikaḥ). Of these the ment il is in the form of a mental resolution that 'it has become mine.' The verbal is an objective recognition of the thing (as one's own) with the utterance of the words 'this has become mine.' The physical is of many sorts, namely, by actual receipt or by touching (the subject matter) etc...... In the case of land, however, a (complete) physical acceptance being impossible without the enjoyment of profits, the acceptance should be by possession (for) howsoever short a time (it may be), otherwise a gift or sale does not become complete.'

When three generations have passed after the first generation has proved the title, possession becomes a stronger proof of legal occupation in such cases than title. The claim becomes stronger if title is also proved.²

According to Brihaspati and Devanabhatta, 'if in one document (śāsana) village (grāma) and fields (kshetra) are mentioned as having been under occupation, enjoyment of a part of them involves the occupation of the whole.' Brihaspati further says that acquisition of immovables by partition, purchase, inheritance and gift from the king becomes valid by 'bhoga' or enjoy-

^{1.} Mit. (tr.) p. 53-54, (original), p. 23.

^{2.} Cf. Yaj. II, 28. See also Mit.

Yadyeka śāsane grāma-k-hetrārāmaś-cha lekhitāh Ekadeśopabhogepi sarve bhuktā bhavanti te. (IX, 18) Quoted in Sm. Ch. I, 154.

ment even of a part; if not enjoyed, they become lost.¹ According to Vyāsa the five conditions of legal enjoyment (bhoga) of property are title, long possession, absence of partition, absence of opposition by others and the presence of the opponent.²

CHAPTER VI.

BRAHMADEYA, DEVADĀNA, AND THE ANALOGOUS LANDS.

The gifts of land to Brahmanas (Brahmadeya) and to gods and goddesses for acquiring religious merit are regarded in the Hindu Sastras as 'Great Gifts' (atidāna). Besides these great gifts we hear of various other gifts in South India. Brahmadeya lands should not be confused with the lands in ordinary possession of the Brahmanas as private owners or tenants of the royal domain. The latter kind of land was to some extent like the land in the occupation of the other castes, so far as the rights and the obligations were concerned. There was however a little difference between the two, in so far as the Brahmana tenants and landholders were sometimes given preferential treat-

Samvibhāga-kraya-prāptam pitryam labdhañcha rājataḥ Sthāvaram siddhim-āpnoti hāniś-ch-opekshayā tathā. Quoted in the Vyavahāramātrikā.

^{2.} Sāgamo dīrghakālascha nischhidro-nyaravojjhitaḥ Pratyarthi-sannidhānañcha pañchāngo bhoga ishyate. Quoted in the Vyavahārsmātrikā (p. 342) and in the Mitāksharā (Yaj., II, 27).

^{3.} Hemādri, Dānakhanda, p. 494-5.

ment. Thus says Bṛihaspati (XIV, 13): 'The king shall take a sixth, ninth, and twelfth part respectively from the property of a Śūdra, Vaiśya, and Kshatriya; a twentieth from the property of a Brahmana.'

§ 1. Classification of the Gifts. Gifts of land were made to individual Brahmanas or bodies of Brahmanas either for their support or for the maintenance of the several rites of particular temples. The earliest references to such endowments occur in the Brāhmanas (See Ch. IV § 1). The Pali literature also abounds in references to 'Brahmadeyya'. Gifts of land were also made directly to gods and goddesses and as such were known as Devadanas. Literary references to such gifts probably do not go as far back as those to Brahmadeyas. Most of the epigraphic records relate to these two kinds of gifts. The Devadanas specially in the South sometimes involved the maintenance of a hugernumber of people together with a staff of worshippers and attendants. Thus for example the Sudi inscription of the reign of Someśva-

^{1.} For example in the Somadatta Jātaka, Avari Jātaka, Ku-lāvaka Jātaka, Vidurapaņdita Jātaka etc. See Fick's Sociale Gliederung, p. 136. Prof. Rhys Davids points out that the Brahmadeyya of the early Buddhist literature is not the same as the Brahmadeyya of later times. Brahmadeyya implied a full gift (Dialogues of the Buddha, tr., vol. I, p. 108, footnote).

^{2.} Kautilya refers to the property of gods (devadravyam) in the Arthaśāstra, p. 48. In the Santi Parva also we hear of Devasvam (Ch. CXXXVI, 2).

ra I records the grant of a Devadana 'for the god Akkeśwara of Sundi and for one thousand persons of that (establishment) and for the staff and attendants.'1 Endowments of land were also made for the maintenance of the Brahmanic colleges for the study of the Vedas, philosophy, grammar and similar other subjects. Thus the Pallava king Nripatungavarman granted three villages as an endowment to establish a college at Bāhūr.2 A South Indian inscription tells us that the great assembly of Tribhuvanamahadevi Chaturvedimangalam in the thirtieth year of Rajadhiraja I purchased lands to maintain a great hostel and college of Vedic studies with a staff of twelve professors of Vedic literature together with seven other professors. Provision was also made for the support of 260 students. In the reign of the Chola king Rajendra I a bigger establishment was founded by the assembly of Rājarāja-Chaturvedimangalam. It had an annual income of 61½ gold kalanjus and 10506 kalams of paddy out of the endowment.4 From another South Indian inscription we learn that the assembly of Tirukudamtikkil established a 'bhatta-vritti' to support some teachers of the Prabhākara system of Pūrvamimāmsā. The assembly of Uttarameru-Chaturvedimangalam also

^{1.} EI., XV, p. 85.

^{2.} SII, Vol. II, p. 513.

³ MER., 1918-19, p. 96 (no. 176 of 1919).

^{4.} MER., 1917-18, p. 145-146 (no. 333 of 1917).

^{5.} SII, III, no. 161.

founded a 'vyākhyā-vritti' or lecture-estate to maintain the pandits teaching grammar. Such grants were also known as 'Vidyā-dāna.' Thus an inscription of the Ganga king Satyavākya Kougunivarmma Permmādi dated 900 A. D. registered a Vidyadana grant by the king to his teacher.2 We also come across references to endowments for the maintenance of Jaina religious foundations (Pallich-chandas), endowments for the support of astrologers (gani-murruttus), endowments known as Vettapperrus (probably connected with the supply of labour) and Arach-chālābhogams' (some sort of refreshment rooms like the Dharmasalas of Northern India).3 These religious endowments sometimes led to estates or the user thereof being granted to dancers, public women and various other persons who were maintained in connection with the temples. Thus we are told that the Mahesvaras and the Śrī rudras (that is, the body of worshippers) jointly with the temple trustees voted an estate to a dancing girl for acting in a play at a religious festival, to a reciter of the Veda, and to a Siva-Brahmana. An inscription of the reign of Somesvara I dated about the middle of the tenth century A. D. records a Devadana grant of land distributed as under, for various

MER., 1911-12, para 19; 1917-18, part II, para 28; 1924,
 pt. II, para 13 and p. 26 (no. 333).

^{2.} EC., V, p. 250.

^{3.} SII., III, nos. 142, 205.

^{4.} MER., 1916-17, p. 45 (nos. 556 and 557 of 1916); SII., I, no. 88).

kinds of services: 115 mattar of land for sandal wood. incense, oblations and repairs of worn-out and broken masonry; 300 mattar for gifts of food to the ascetics of the place; 30 for the professors lecturing to the ascetics; 8 for the teachers giving lessons to the youths of monastery; 8 for the two Brahmanas offering libations; 20 for the four youths of the assembly hall; 20 for the Nagagonda; 20 for the public woman who acted for the god's enjoyment; 15 for the public woman attached to the steward: 48 for the four public women at the right columns of the and the left sides: fan-bearing public 48 for the of the right and the left sides; 48 for the four dancers; 24 for the two public women in use; 24 for the drummer; 12 for the flute-player; 12 for the steward of the public women; 30 for the stone-cutter. We also learn that the assembly of Uttarameru-chaturvedimangalam granted a tax-free estate as 'Vishahara-bhoga' to maintain a physician to cure snake bite.2 An inscription of the reign of Vikrama Chola (1118 A. D.) refers to a 'Vinaik-kani; that is, an endowment conferred on a person for playing the 'Vīnai' (vīnā) or Indian lyre in a particular temple.3 Endowments known as 'Nattuvak-kāni' were of similar nature. A Chola inscription registers a gift of land as Nattuvak-kāni to a dancing master.4 We also hear of endowments of land in bonour of heroes, known as 'Vīra purushulu.' A Kākatīva record of 1315 A. D. registers a grant of land by Devari-Nāyaningāru for the benefit of some heroes. This sort of endowment

^{1.} EL, XV, p. 93.

^{2.} SII., III, no. 177.

^{3.} MER., 1909-10, pp. 93, 66 (no. 47 of 1910).

^{4.} MER., 1923-24, p. 73. (no. 361).

^{5.} MER., 1909-10 p. 110.

is the same as the Kalnad, Kalnatu or Bal-gal chu endowment of the Ganga kingdom. A Mahavali inscription of 890 A. D. records a grant of 30 ploughs of land as Kalnad free of imposts. Another Mahavalt grant dated 900 A. D. records the gift of one kanduga of rice-land as a Kalnatu. An inscription of Parakeśarivarman Chola registers a gift of land in Urattūr as Janmabhumi by the assembly of Kunrak-kurram to an individual with the condition that the donee should pay 25 pon annually as assessment on the land.8 The South Indian inscriptions also tell us of an endowment known as 'Jīvita', probably granted for the life-time of the donee. A Chola inscription records a gift of land as a 'Jivita' to a person for bringing a pot of water daily from the river for the sacred bath of the god by a native of Pullamangalam. Grants of land were often made by kings to their ministers or other servants either as remuneration for their past services or in lieu of a salary for their present duties. These grants were known as Umbali. These were hereditary and probably rent-free. An inscription of 1125 A. D. records a grant of 'Umbalı' by king Vishnu-mahīpati (Hoysala?) to his minister. A Hoysala inscription of 1209 A. D. records the grant of an Umbali

^{1.} EC., III, p. 8 (Introduction); X, p. 7 (Introduction).

^{2.} EC., X, p. 129. See also EC., X, p. 138.

^{3.} MER., 1923-24, p. 73 (no. 356).

^{4.} Ibid., p. 18 (no. 276 of 1923); p. 26 (no. 338 of 1923); p. 34 (no. 419) MER., 1922-23, p. 27 no. 453.

^{5.} EC., IV, p. 118.

apparently by the king to his minister, because the latter had constructed a tank and founded a town. A Yādava record of 1243 A. D. makes it clear that the Umbali grants were made to royal officers. We are told that 'Thakkura, one of the Nāyakas under Simhana (Yādava king) stationed in the Taravūr Idugol thāṇa, being unwilling to do his duty on the Umbali allowed,' went against the king but was defeated. Endowments of land were also made to persons on favourable terms for the maintenance of irrigation works under the names Dasabandha, Kodage, Bittuvaṭṭa, Ērippaṭṭi etc., which have been discussed in Chapter VII § 10.

§ 2. The Donors and the Ceremony of 'Karīṇi-bhramaṇa.' A great many of these endowments, both in the North and in the South, were made by the crown. The initiative in the case of royal grants semetimes emanated from private individuals. Thus according to an inscription of Kalachurya Bhillama (1189 A. D.) a rich member of the Setthi family of Muttage and a Brahmana named Śankarasvāmī applied to emperor Bhillamadevarasa to make a Devadāna grant of the town of Bīvavura; the emperor accordingly made a grant of it to the temple of the god Lakshmī-narasimha. The donors were also private persons both in the North and in the South's.

^{1.} EC., V, p. 123.

^{2.} EC., VIII, p. 33.

^{3.} EI., XV, p. 39.

^{4.} For example, MER., 1916-20, p. 27 (no. 493 of 1919);

Endowments made by public bodies, such as the village assemblies, have already been referred to above and in Chapter III § 6. When a private person made a Brahmadeya or a Devadāna grant he had to obtain the permission of the king. The king of course never witheld such permission. Says Nārada: 'When any man gives away property of his to Brahmanas the king must give his consent to it: this is an eternal law.' 'As the king never witheld his permission in such religious grants the custom gradually grew up of the right of individuals to alienate lands for religious purposes, and the donor needed no assent of the state to his alienations.'

The usual ceremony attending a Devadāna or a Brahmadeya or an analogous grant was to confer on the donee some gold and water as a symbol of the conveyance of the land or of the user thereof. This ceremony dates from a very early time. The Mahāummaga Jataka, for instance, tells us that a king conferred a village on a merchant by taking a golden vase filled with scented water and pouring the water on the

^{1922-23,} p. 67 (no. 60 of 1923); Damodarpur copper plate ins. no. 4 (EL, XV, 113).

XVII, 47: Ya eva kaśchit svadravyam brāhmaņebhyaḥ prayachchhati, tad-rājñāpy-anumantavyam-esha dharmaḥ sanātanaḥ.

^{2.} Hindu Law of Endowment (Tagore Law Lectures), p. 137.

^{3.} Cf. Mit. (Gharpure's edition) p. 76. See Ch. IV § 7. The trunk of a lopped tree was also sometimes conferred on the donee (See Gupta Ins., p. 248).

merchant's hand.1 The South Indian inscriptions record a curious custom regarding the conveyance of a Devadana or a Brahmadeva when it was made by a king. As soon as the intimation of a grant was received by the neighbouring villages, the leading people went in advance to receive it ceremonially. An elephant was also made to go round the boundaries of the land alienated, the ceremony being known as Karini-bhramana. The Anbil plates of Sundara Chola thus record about the grant of a Brahmadeya: 'We, the owners of the Brahmadeya, the people of the nadu (district), the residents in the lands belonging to the Devadana and Pallichchanda and the free-holds of the kanis of Tiruvalundur nādu, seeing the royal order (entering our village), went in advance to receive it, worshipped it, placed it on our heads, took it and read it, and according to the royal order defined the boundaries as follows, by making a female elephant circumambulate the ten vēlis of land out of the 28 vēlis of which Nanmulānkudi is composed." An inscription of Rājendra Chola I records that during the ceremony of circumambulation two or three royal officers and the representatives of the districts were present.*

§ 3. The Rights attaching to the Devadana and the Brahmadeya Lands according to the North Indian Inscriptions. The rights

^{1.} Vol. VI, p. 344 (tr. Vol. VI, no. 546).

^{2.} EI, XV, p. 70.

^{3.} SIL, III, no. 205. See also SIL, II, no. 73.

attaching to the Devadana and the Brahmadeya lands are not clearly defined in the legal literature. According to Kautilya these were to be free from taxes and fines (kara and danda).1 Brihaspati (VIII), fully describing the way in which such grants should be made, enjoins that they should be 'endurable as long as the Moon and the Sun are in existence' and 'must never be cut down or taken away." The epigraphic records, however, not only describe fully the various rights conceded by the donor but also tell us of the limitations imposed. Speaking generally, the South Indian inscriptions contain much more detail with regard to these rights and limitations than the North Indian inscriptions. We take here a few typical examples from the latter. The grants were in perpetuity and with rights of succession. Thus, for instance, the Bhavnagar plates of Dhruvasena I (529 A. D.) refers to a Brahmadeya for the maintenance of the rites of 'bali', 'charu' etc. to endure for eternity and with rights of succession. The donee had the right of cultivating or causing the land to be cultivated or assigning it to another. The Khoh copper plate inscription of Hastin (475 A. D.) registers a Brahmadeya with the Udranga (the share of the produce collected usually for the king) and the Uparikara (a cess) and with

^{1.} Arth., p. 46.

^{2.} VIII, 6.

^{3.} EL., XV, p. 256.

^{4.} Ibid.

the privilege that it is not to be entered by the irregular or regular troops; but with the exception of the right to fines imposed on thieves.'2 Another Khoh plate of the year 496-7 A. D., registering the grant of an 'agrahāra' in the form of a Devadāna (Devāgrahāra) to a Brahman family, contains the following injunction to the residents of the village: 'You yourselves shall render to these persons (the donees) the offering of the tribute of the customary duties, royalties, taxes, gold etc. and shall be obedient to their commands.' The grant was however without the right to fines on thieves (Choradanda varjam). The Barrackpur grant of Vijayasena (twelfth century A. D.) mentions, among other rights, freedom from the imposition of fines on ten kinds of offences (dasaparadha), freedom from all impositions (parihrita-sarvapīdā), freedom from the liability of presenting anything (akinchit-pragrahya) to royal official and the right of enjoying all royal bhoga (that is, the objects of enjoyment such as fruit, firewood, flowers etc., which the villagers had to furnish to their lord either daily or on certain occasions),4

 ^{&#}x27;Ā-chāṭa-bhaṭa-prāveśya' is also rendered as 'freedom from the entry of revenue and police officials' (See EI., XV, p. 283 ff). The expression implies 'a fixed contribution of money or supplies on the holders of the villages'. (Cf. Amañji, Echchōru etc. of the South Indian inscriptions. See Ch. III § 3). Gupta Ins., p. 98.

^{2.} Gupta Ins. pp. 96-98.

^{3.} Gupta Ins., p. 122,

^{4.} See EI., I, p 75, footnote, 32.

kara (cess), 'hiranya' (lit. gold, but probably a money payment. Cf. the South Indian custom, Ch. XI, § 6) and 'pratyaya'. The ten offences referred to in the inscription are supposed to be theft, unlawful hurting, running after other's wives, rudeness of language, untruthfulness, slandering others, incoherent conversation, coveting other's property, wrongful thinking and tenacity in what is not true.2 The Alina copper plate inscription refers to, among other rights, the right to forced labour (utpadyamāna-vishtikah), which is probably the same as the South Indian custom of 'Veţţi' (See Ch. III, § 3). Some of the grants include the right of appropriating hidden treasures and deposits as well as the right of enjoying Klripta and Upaklripta, the exact nature of which is not known. According to Kautilya 'Klripta' implied fixed taxes.4 One grant mentions the following limitations: It does not carry with it the right to cows and bulls in succession of production (aparampara-go-balivardda), or to the abundance of flowers and milk (apushpa-kshīrasandohah) or to the pasturage, hides and charcoal (a-

EI., XV, p. 283. Pratyāya, Pratyādāya, ādāya and āya seem to be general terms for implying all sorts of income, e. g., in the expression 'samasta-bhāga-bhoga-kara-hiraṇyādi-pratyāya-sametaḥ' it is apparently used in this sense (EI., XV, p. 297).

^{2.} See Gupta Ins. p. 189, footnote, 4.

^{3.} Gupta Ins., p. 179.

^{4.} Arth., Bk. II, Ch. 6.

sana-charm angarah) or to the mines for the purchase of salt in a moist state (a-lavana-klinna-kkreni-khanakah). An agrahāra grant sometimes involved a condition that the donee should not introduce any new tax-paying cultivators, artisans etc. from outside into the donated village. Thus records the Spurious Gaya copper plate inscription of Samudragupta: 'And from this time forth the tax paying cultivators, artisans etc. of other villages should not be introduced by the Agrahārika of this village for the purpose of settling in it and carrying on their occupations; for otherwise, there would certainly be a violation of the privileges of an agrahara." The different kinds of land included in a grant are sometimes clearly described. Thus the Barrackpur grant referred to above included low lands or wet-lands (sa-tala), high lands, (uddeśa), marshy lands (sajala sthala), ditches and barren soil. The grant also included trees like Mango, Jack-fruit, Betelnut, Cocoanut etc.3 The Mahoba plates of Paramardi-deva (13th century A. D.) are very interesting as including, among other things, animals like deer, birds, aquatic animals, customs (sulka), temples with ditches entrances and around, the exits (sanirgamapraveśam), trees like Sal, Mango, Mahua (Madhtika), Kusuma, sugarcane, cotton and Sana plants etc., iron mines and similar other mines together with the

^{1.} Gupta Ins. p. 238.

^{2.} Ibid., p. 257.

^{3.} EI., XV, p. 283.

right of alienation as gift and the right of sale and mortgage.

§ 4. The South Indian Inscriptions on the Rights and Conditions lattaching to the Brahmadeyas and Devadanas. A few typical examples will give us a fair idea of the rights and conditions attaching to the Brahmadeyas and Devadanas in the South during our period. One record tells us that a village named Sungandavirtta was purchased by the Tondaimanar Samantanarayana and given in 108 shares to the Chaturvedi Brahmanas studying and teaching the Vedas and the Sastras in the village of Sāmantanārāyana-Chaturvedimangalam and to a temple of Vishnu, the former (the Brahmanas) receiving 106 shares and the latter only two. The land alienated included cultivated land, dry land (punjey), wetland (naffjey), portion of the bank of the river, the portion consisting of the causeways between fields, the land on which the village-servants live, the land which was occupied by the village-site (agara-nattam), the place used for sacrificing to the gods (devayajñabhumi), the place used as pasture for the cows (goprachāra. bhūmi), the land which included the houses for the cultivators, the ponds, channels, hills, jungles and mounds. These 108 shares were tax-free with the right to give away, mortgage, or sell. The gift which was ratified by the king included all taxes (kadamai), and rights (kudimai), namely, the right to cultivate vegetables, fruits, and

^{1.} EL. XVI, pp. 13-14.

all other crops, all kinds of fiscal charges (aya) such as money-tax (käśu-kadamai), odukkum-padi, urai-nāri, watchman's share for the watchman over 'vetti's (temple-sweepers), share of karanam who measured (paddy?),1 the tax on looms and oil-mills, the tax on goldsmiths, the dues on animals and tanks, the tax on water-courses, tolls, inavari (probably a tax on caste), idai-vari (tax on weights), the fine for rotten drugs, the tax on bazars and the salt-tax.2 Some more interesting details are given in the Anbil plates of Sundara Cholas, who made a gift of a village called Karunākaramangalam, changing its old name and residents and with all privileges. 'The several objects included in this land......such as, fruit-yielding trees, water, lands, gardens, all up-growing trees and downgoing wells, wastes in which the calves graze, the village-site, ant-hills, platforms (built round trees), ponds, breaches in rivers; rivers, alluvial deposits left on either side by these, tanks, palaces (kottagaram),4 fish-ponds, the clefts (in rocks etc.) in which the bees construct their hives, minor temples contained within this (land granted); and all other lands, such as, those on which the iguana runs and the tortoises crawl (i.e. dry lands and wet lands); and taxes, such as the income from places of justice (mangu-padu), on (betel)

^{1.} Karanam generally means an accountant.

^{2.} SII., II, No. 22.

^{3.} EI., XV, p. 70.

^{4.} Sanskrit, Koshthāgāram, a store-house.

leaves, the cloths per loom (i. e., a tax of a certain number of cloths spun in each loom), on marriages, the lease of markets, kārānmai and Mīyātchi1, all included; the old tenants being evicted; all articles, which are fit for the consumption of the king,..... all these shall become his (the donees). He shall be at liberty to erect halls and upper-storeys with burnt bricks; to dig big and small wells: to cultivate the (sweet-smelling) plant Damanagam and the root Iruveli; and to cut channels in accordance with the gradients. He need not do Sennir vetti (probably means where water is naturally flowing, channels need not unnecessarily be dug and the water diverted through them, but may be made to flow anywhere appropriate places'),2 by damming it in but by damming such water he shall irrigate (his fields); no one shall employ small piccottas, kudainir etc.' We take another example showing the rights and obligations of the donee. A South Indian inscription records the grant of a Brahmadeya village with the following conditions: there is to be no tax of any kind, such as, duty on oil-presses and looms, ulaviyakküli (the hire of well-diggers), the fee (in money) on marriages, Urettu (literally eight or village eight), fee on potters, tattukkäyam (fee on goldsmith), duty on toddy-drawers and shepherds, fee on stalls, broker-

^{1.} See Ch. XI, § 6 and Appendix A.

^{2.} Cf. SII., III, p. 46. (no. 24).

age-fee, tirumugakkanam (a fee levied for remunerating the man who brings orders from the king), uppukkochcheygai (probably the royalty paid for manufacturing salt), good cow, good bull, vattināri (fee on baskets of grain brought to the market), arecanuts exposed for sale in shops, and other fees. The donee was also conceded the right to plant the sweetsmelling plant Damanagam, to build mansions and large edifices of burnt bricks, to sink reservoirs and wells, and plant cocoanut trees in groves. Large oil-presses could be set up. It was further laid down that the cocoanut and the Palmyra trees grown within the boundaries of the village should not be climbed by the toddy-drawers1. This inscription incidentally shows us the nature of the rights exercised by the donee or the other residents of the village, such as, the artisans, masons, potters, goldsmith, weavers, toddy-drawers etc. The last few conditions show that the donee was expected to improve the village. Another South Indian inscription indicates in particular the measures of improvement that the donee was expected to adopt as well as the restrictions imposed on the irrigation works of the donated land. 'These lands shall enjoy the privilege of being irrigated by channels dug out as per rules for the distribution of water. Others shall not cut and dig out diversions from these channels, nor put up small piccottas, nor bale water by baskets, nor obstruct the flow with cross-banks. The water

^{1.} SII., II, no. 99.

thus made available must not be wasted; that water must be economically used. Storied buildings and mansions may be erected with burnt tiles (bricks): step-reservoirs might be sunk; cocoanuts might be planted in groves; artemissia, sweet marjoram, andropagon, muriatum, champaka, red-lilies, mango, jack, cocoanut, palmyra and other fruit-yielding trees might be planted.....(The following are) the immunities granted for the lands thus declared:.....fee for governing the district (Nadatchi), fee for governing the village (arātchi), the toll of a nāli on each basket (vaţţi. nāli), pitānāli (?), marriage-fee (kannālakkānam), the fee on washerman's stone (vannārappārai), the fee on the potter (kuśakkanam), fee on brokers, the fee on the goldsmith (tattarappattam), fee on (bazars of?) betel leaves (ilaikkulam), the cloth on each loom, fee for (maintaining) justice (manrupādu), māvirai,1 (fee for stopping) fire accidents (tiveri),2 (fee on) good cow (nalla), (fee on) good bull (nallarudu), (fee for) district patrol, ūdupokku,* (fee for) carrying bows (virpidi), valamañjādi, tolls, tax on ferries (odakkūli), tax on water (nīrkūli), (fee on) toddy-drawers (Īlampūtchi), tax on shepher is (idaippāttam), attukkirai, trkaļanju, and all

^{1.} Mā or māvu, the twentieth part of anything, (irai, tax). See TTMR, p 84, note.

^{2.} Literally, fire-flame.

^{3.} Right for digging canals.

^{4.} A tax or cess (irai) for boiling sugar (attu). The New Tamil dictionary explains the word attu as coarse sugar, and it is derived from the verb adu, to cook or boil.

^{5.} Literally, kalanju (money) paid by the town (ūr).

other income, which the king could take and enjoy, shall no longer be taken by the king but shall be received only by the Mahādeva of the sacred stone temple of Tirunallam.'

§ 5. The 'Ashtabhoga' or 'Tejahsvāmya' rights; Talavritti and Sthalavritti Tenures. Some of the inscriptions refer to the Ashtabhoga rights (Eight-fold enjoyments), which are also called 'Tejahsvāmya' rights. These eight-fold rights were treasure trove (nidhi), property deposited in the land and not claimed by another, (nikshepa), 'pāshāṇa', that is, mountains, rocks and their contents, such as mines, minerals etc., 'siddha', that is, land yielding some produce, 'sadhya', that is, the produce from such lands, waters, privileges actually enjoyed, and privileges which may be actually conferred.3 These eight-fold rights differed a little in the various parts of the country and in different ages. An inscription of the reign

^{1.} SII., III, no. 151.

^{2.} EI., XIII, p. 30.

^{3.} TTMR., p. 17, note. El., XIII, p. 34, note 1.

^{4.} In a Harihara grant we come across the expression 'ni-dhi-nikshepa-jala-pāshāṇākshiṇy-āgāmi-siddha-sādhyate-jaḥ-svāmya hechchārike modalāda sakala ashṭabhoga-tejaḥ-svāmya (Ind. Ant., XIX, p. 244; IV, p. 333). An inscription of 1733 A. D. states the following as constituting the eight-fold enjoyments: nidhi; nikshepa; akshiṇi; āgāmi; ayimātti kengodu (? ayimātti, religious grant, kengodu, cocoanut husk); nāgavaṇḍige mālige (? nāgavandige, shelf, mālige, building); jauligada, double gates ?);

of Somesvara I (early part of the tenth century A. D.) records a grant of land to a temple in 'Talavritti' tenure which included siddhaya (fixed assessment), kirudere (minor taxes), kiru kula (petty dues), dayadramma (probably cash payment), house-tax and dandaya (fines).2 But according to a Sudi inscription the Ashtabhogas constituted the Talavritti tenure.3 Some of the inscriptions refer to what is called 'Sthalavritti' tenure. A Hoysala inscription dated 1194 A. D. records the grant of 'the formerly well-known Sthala. vritti of the city, with all rights, and with the fingerexhibited (forbidding entry) to the two forces, those of the king and those of the king's agents." Two inscriptions from Belgaum dated 1204 A. D. also refer to this tenure, and it is explained as a 'form of holding for which payment was made in kind from the produce.'5 It thus differs from the 'Talavritti' tenure which seems to have involved no such payment. The second Belgaum inscription evidently makes a distinction between the 'Tejahsvāmya' rights or Tılavritti and the Sthalavritti tenure, while making mention of

uyala-sarapane (? swing chairs). EC., VI, p. 163 (orig.), no. 83. See also MER., 1912-13, p. 113.

^{1.} Mys. Ins., p. 77, note. Kisamwar Glossary renders it (kiru-kula) as sundry expenses, p. 74.

^{2.} EL, XIII, 14, 168.

^{3.} EI., XV, p. 99. See also p. 93 (lines 41-46).

^{4.} EC., VII, p. 106.

^{5.} EL, XIII, p. 17.

the former in connection with one piece of land and the latter in connection with another.

§ 6. The 'Tribhoga' Tenure and the Sarvanamasya or Sarvamanya Tenure. In the South Indian inscriptions we also come across references to 'Tribhogābhyantarasiddhi' and 'Sarvābhyantarasiddhi'. An inscription of Someśvara I (1054 A.D.) refers to Ketaladevi the queen as governing the 'agrahāra' of Ponnavāda according to 'Tribhogābhyantarasiddhi.' Fleet interprets the expression as 'the accomplishment of that which is included in the 'tribhoga' or triple enjoyment', and takes it to imply a 'joint tenure enjoyed by a private person, a god or gods and Brahmanas.' He takes 'Sarvābhyantarasiddhi' occurring in the inscription of Ajapala Chalukya (dated 1231 A. D.) to mean 'full and complete rights of enjoyments made to only one class of grantee.' He refers in this connection to the Dambal grant of Harihara II of Vijayanagar, where we are told that the king 'divided the district of Gadag consisting of 66 villages, into three equal portions, each of 22 villages, of which he retained one as the king's share, allotted the second for the rites of two gods at Gadag, and gave the third as an agrahāra grant to a number of Brahmanas." It is evident from this that the 'Tribhogabhyantarasiddhi' lands were not full Brahmadeyas or Devadanas; and the 'Sarvabhyantarasiddhi' lands were only in some cases Brahmadeyas and Devadanas.

^{1.} Ibid. (lines, 34-38 and 45-47).

^{2.} Ind. Ant., XIX, p. 271.

Some of the Brahmadeyas and Devadanas are said to be of the 'Sarvanamasya' tenure when they were 'free from all conflicting claims.' Thus the Madagihal inscription dated 1172 A. D. records that 'Kambhaya Nayaka, (intendant) of the stables, granted with pouring of water for the god's personal enjoyment a 'kammata' (an estate cultivated by a landowner with his own farming stock, but by the labour of others) held by him in perpetual tenure.....likewise a garden east of the river, likewise a dwelling house, free from all conflicting claims, on Saryanamasya tenure.....The general.....and the royal superintendent and recordergranted,.....for the god's personal enjoyment, a field of 50 mattar by kannesvara's rood on the site south of the royal groom's kammata belonging to the god in Donagarigave free from all conflicting claims on Sarvanamasya tenure. 11 An inscription of Jayasimha II (1028 A. D.) records a grant of land to a god as a 'Sarvanamasya' holding to last as long as the Moon. Sun and stars last." An Alur inscription of the early part of the eleventh century A. D. also records the grant of a Brahmadeya on 'Namasya' tenure immune from all conflicting claims. This tenure seems to be the same as the 'Sarvamānya' tenure with this difference probably, that whereas a Sarvanamasya could be granted to a Brahmana or a god (Cf. the meaning of the expression) only, a Sarvamanya could

^{1.} EI., XV, p. 327.

^{2.} Ibid, p. 334.

^{3.} Ibid., XVI, p. 30. See also p. 52. and p. 337. SIL, I, no. 65.

be granted to any one. An inscription of the Chola king Tribhuvana-Chakravarttin Rājarājadeva registers the grant of a Sarvamanya gift of land to a certain temple. An inscription of the Chola king Sakalaloka Chakravarttin records the conversion of a piece of land into a Sarvamanya gift by the nattavar (sheriffs) of Vayalaikkāvūr.2 An inscription of the reign of Immadi-Achyutarāya of Vijayanagara records the grant of another Sarvamanya gift of land to a temple. We also hear of 'Sese-mānya' and 'Ovața-kārunya' as implying partial gifts to Brahmanas. Thus a Hoysala inscription of 1190 A. D. records the grant by a minister of two hana per 100 gadyana (in a district of) 350 (villages), the fixed first rent, as a 'Sese-manya' and 'Ovața-Karunya.' Such grants were apparently the 'Arddhamanyams' or half-free estates of later times. The late authorities on the land-system in South India tell us: 'Servamanya (sarvamānya) signifies land entirely free, of which both the mēlvāram, the government share and the Kudi-vāram, the inhabitants' share, are enjoyed by the holder of the manyam; this tenure can only be lawfully created by the joint act of the prince and the people: ardhamanya is land half-free, of which the holder enjoys only the mēlvāram; it is created by the prince only."

^{1.} MER., 1923-24, p. 28 (no. 352).

^{2.} MER., 1922-23, p. 74 (no. 141).

^{3.} MER., 1910-19, p. 51 (no. 40).

^{4.} EC., V, p. 203.

^{5.} TTMR., p. 24, note 13.

§ 7. Limited Nature of the Rights. The Brahmadeya and the Devadana grants in many cases implied that the donees had only the user of the land. the state in some cases still remaining the recipient of some of the taxes. This was true not only of the South, but also of the other parts of India. The Sirur inscription of Jayasimha II (1041 A. D.) tells us that an individual having bought a piece of land, made it over as a Brahmadeya, evidently with the consent of the royal officials. It was not free from the ordinary taxation, for, 'its ancient rule (was) a quit-rent of twelve paṇas." A copper plate grant of Mahāraja Svāmidasa (beginning of the fifth century A. D.) relates to a Brahmadeya which was not free from taxation. An inscription of Krishna III (945 A. D.) records the grant of a Devadana of a field on which the king's fixed revenue was two gold gadyanas. A record of the reign of Kulottunga Choladeva I tells us that a merchant of Kānchipuram, having bought a flowergarden from the assembly of Orirukkai, made it over as a Devadana free of taxes, that is, the village assembly agreed to pay the taxes thereon to the state.4 A Pāndya inscription tells us that a fresh tax was levied on the hereditary trustees (sthanattar) of a certain temple by an individual who was apparently a royal

^{1.} EI., XV, p. 336.

^{2.} Ibid., p. 289.

^{3.} Ibid., XIV, p. 366.

^{4.} SII., III, no. 68.

official.¹ There are several other cases in which the assembly of the village, on receipt of a price and an amount to cover the annual taxes, converted ordinary lands into Devadānas.¹ In all these cases the mēlvāram was thus paid to the state either by the donors or the donees or the village assemblies.

In the Arthasastra we come across an injunction to the effect that 'Brahmanas shall sell or mortgage their Brahmadeyas only to those who are endowed with such lands.'s In an epigraphic record there is an almost similar injunction. A record of the twentyeighth year of the Rashtrakūta king Krishņa lays down that the lands, which were Devadanas or gifts to physicians, or gifts for feeding or worship, or were gifts to Ajīvikas, could only be mortgaged or sold to one who was of the same caste as the seller or mortgagor.4 We also hear of cases of Brahmanas being deprived of their Brahmadeya. An inscription of Tribhuvana-Chakravartin Kulottunga Choladeva records a gift of land to a temple. This land was originally the property of a Brahmana who had stolen the jewels of the goddess and was compelled in consequence to give up the land as a Devadana to the temple. In another case of similar nature the Brahmanas

^{1.} MER., 1909-10, p. 19, no. 162.

^{2.} See Ch. III § 7.

^{3.} Arth, p. 171: Brahmadeyikā brahmadeyikeshu......

^{4.} MER, 1920-21, pp. 108, 72 (no. 157).

^{5.} MER., 1912-13, p. 56 (no. 490).

having taken to evil ways, their estates were appropriated by the king for the benefit of the local temples and charitable institutions in 1306 A. D.1 The South Indian inscriptions also record cases of resumption of ownership by the king. Thus, we are told that the Pallava king Nripatungavarman granted three villages as an endowment to establish a college at Bahtir, for which purpose be cancelled the charters of the previous Brahmadeya charity and expropriated the former residents.2 In another case the crown resumed the ownership of lands, belonging to a temple, which the tenants had failed to cultivate and gave them back to the temple trustees.3 According to a South Indian inscription king Rajendra Chola I converted the Brahmadeya village of Palaiyanur into Vellan-vagai (cultivators' portion) village, but unlike such other villages, he ordered it to pay a fixed tax in money and kind, and made it into a Devadana of the temple of Palaiyanūr-Tiruvālangādu.4

§ 8. The Supervision of the Devadanas. The lands made over as gifts to gods and goddesses were either under the special supervision of the crown or the joint body of worshippers or the village assemblies or under the joint supervision of the crown and the village assembly. The crown exercised his author-

^{1.} MER., 1909-10, p. 30 (no. 315).

^{2.} SII., II, p. 514.

^{3.} MER., 1920-21, pp. 98, 61 (no. 39).

^{4.} SII., III, no. 205.

ity in some cases through a specially appointed body of Charity Commissioners (Śrī-kārya-kangāņi). On the evidence of a South Indian inscription we learn that some Devadana lands belonging to a temple, having been wrongfully sold, the royal commissioners restored it to the temple and registered it as tax-free. These officials also examined the tenures of the estates held by the temples, determined the scale of expenses suitable for the establishments, and took measures to ensure their proper execution and, in cases of disobedience, even inflicted fines. A record of the reign of Kampana II of Vijayanagara proves that the government kept a general control over the assignments and allotments of taxes on the temple estates;2 and in an inscription of the fortieth year of the reign of Kulottunga I we find the crown resuming the ownership of lands belonging to a temple, which the weaver-tenants had failed to cultivate, and giving them back to the temple-trustees.3 In one case a commissioner records a gift of land to a temple after scrutiny.4 An inscription of Rājarāja I states that a royal officer made enquiries as to the villages owned by the temple of Bhūmiśvara, and, on the report of the Devakanmis (temple-managers) that no scale of expenses had been fixed with regard to the temple since the Devadana was made, he, at their request, called all the Devakan-

^{1.} SII., II, no. 21.

^{2.} MER., 1921-22, p. 108 (no. 203 of 1921).

^{3.} MER., 1920-21. pp. 61, 98 (no. 39 of 1921).

^{4.} SII., III, nos 136, 205; MER., 1917-18, p. 142.

mis and the farmers, who cultivated the temple lands, ascertained the produce of the land and drew up a scale of expenditure. In some places the authority seems to have been exercised through a representative, either a Kangāṇi or an Adhikārin (that is, Supervisor). Thus in the Rājarājeśvara temple at Conjeveram there was a Kangāṇi or Supervisor of the congregation of the Māheśvaras or worshippers of Siva. It is probable that the provincial temples, and especially those directly endowed by the crown, were periodically looked after by the royal commissioners. Some of the inscriptions thus refer to the Adhikārin scrutinising the business of the provincial temples.

In some cases we find that the Devadanas were controlled by the body of worshippers called the Maheśvaras in the case of Siva-temples, and the Śraddhāmantas in the case of the Vaishnavat emples. But when any dispute arose between this body and the village assembly or any other factor, the appeal appears to have laid with the crown. A South Indian inscription makes it clear that in case of any misappropriation of the temple funds the body of worshippers used to take proper steps. From another inscription we learn that this duty was carried out jointly by the general body of the Māheśvaras and their presidents and

^{1.} MER., 1918-19, p. 95.

^{2.} SII., II, no. 21.

^{3.} SII., III, nos. 202, 203.

^{4.} SII., III, no. 101.

leaders.1 In some inscriptions we find that the Śraddhāmantas (i. e., the Faithful) or the Māheśvaras or the Devakanmis were empowered to levy fines on the peccant village assemblies or others who might wrongfully deal with charities.2 Thus an inscription records: 'We, (the members) of the great assembly, ordered that those who speak or act against this (grant) shall be liable to be punished each with a fine of 25 pon by the Śraddhāmantas themselves." According to one inscription the assembly of Puduppākkam having misappropriated an estate, the Mahesvaras, jointly with the Devakanmis or temple trustees and the Un-nāligaiy-udaiyār or priests of the central sanctuary of the temple at Tirumalperu, lodged before the crown officials a plaint against the assembly. The king fined the assembly and ordered it to pay the legal dues to the temple. In another we see that the Maheśvaras became involved with the temple trustees and townsfolk in a dispute over boundaries. The king apparently interfered in such disputes. A record tells us that the Mahesvaras with the trustees and the staff of a temple spent 120,000 kāśu in the purchase of 60 mā of land for their establishment from the same body of another temple. Reference has already been made

^{1.} SII., III, no. 110.

^{2.} SII., III, nos. 157, 193, 194; MER., 1922-23, p. 104.

^{3.} SIL, III, no. 157. See also nos. 193, 194.

^{4.} MER., 1921-22, p. 36 (no. 416 of 1921).

^{5.} MER., 1921-22, p. 48 (no. 545 of 1921).

to the supervision exercised by the village assemblies over the Devadanas (See Ch. III § 7). We may mention here that in some cases miscellaneous other bodies had the controlling power over the Devadanas. According to a Sudi inscription of Someśvara I six Gavundas (worshippers) and eight Settis (sreshthi, merchants)took charge of the particular pious foundation referred to in the inscription. The constitution of the great temple at Conjeveram assigned the general supervision of the affairs of the establishment to the Srī-Vaishnavas (devotees) of the eighteen nadus or shires. The same inscription further tells us: 'The chief merchant (nagaram-ālvān) of this guild (nagara), the members of the Annual Supervision Committee (attai-variyan), the residents of Erruvalichcheri and Kanjagappādi, shall every year, look into the accounts of the expenses incurred on these gods, soon after the festivals are celebrated.' The nagarattar (merchant guild) of Madurantakapuram apportioned the lands of a local temple for the upkeep of religious services.3 This shows that the nagarattar controlled the endowments in some cases. We further learn that the nagarattar of Ulagamadevipuram voted an estate to furnish funds for feeding twenty five Brahmanas in a hostel attached to a temple.4

^{1.} EI., XV, p. 93.

^{2.} MER., 1922-23, pp. 104-5. See also SII., III, no. 128.

^{3.} MER., 1917-18, p. 16 (no. 193 of 1917).

^{4.} MER., 1918-19, p. 59 (no. 134 of 1919).

§ 9. The Management of the Devadanas.

The temple authorities administered the Devadanas in various ways. Their powers were very extensive with regard to these estates. Thus they could dispose of them by sale. An inscription of the Chola king Rājarājadeva records a sale of land belonging to the temple of Kirtinarayana-Vinnagar-Alvar.1 An inscription of the Pandya king Jatavarman alias Tribhuvana-Chakravartin Vīra Pāndyadeva registers a sale of land by a temple to one Rāmānujadāsan of Aruviyūr, who had to pay thereupon to the temple a certain proportion of the produce annually and to abide by other conditions. But the transaction was not given effect to, till the royal sanction was received2. With the temple funds the authorities sometimes bought estates for the benefit of the temple. Another record of the reign of Rajarajadeva registers a sale of land to the temple of Rajarajeśvaram. Udaiyar by two private individuals of Tiruvindatūr. An inscription of Rajadhirājadeva of the Chola dynasty tells us that a certain individual, who owed the temple of Pasitangisvaram-Udaiyār at Karuvili one hundred kāśus and had failed to pay, sold a plot of land belonging to him to the temple in lieu of the debt.4 The right of the temple

MER., 1923-24, p. 80 (no. 437). See also MER., 1921-22,
 p. 55 (no. 40).

^{2.} MER., 1923-24, p. 20 (nos. 288, 289 of 1923).

^{3.} MER., 1923-24, p. 79 (no. 434) and p. 80 (no. 436).

^{4.} MER., 1923-24, p. 13 (no. 225 of 1923).

managers to mortgage a temple estate is shown by the Triplicane inscription of Dantivarman Pallava (dated about the latter part of the eighth century A. D.).1 Portions of the Devadana estates were sometimes made over to private persons as gifts. Thus the Maheśvaras and the Śrī-Rudras jointly with the temple trustees voted an estate to a dancing woman for acting in a play at a religious festival and to a reciter of the Veda.* Temple lands were also leased out to private persons on various conditions. An epigraphic record registers the grant of the hereditary tenancy right of some Devadana lands in Pandimadevinallur to a certain Pūman Pogan and his descendants in return for their paying per annum three kalam of paddy on each mā of land to the temple. The record also registers the grant of an allowance at the rate of one tiramam (dramma) on every ma to a certain Kuramban Kandadevi and her descendants for service in the temple. From another record we learn that the lands belonging to a certain temple in Vayalani-nallur were leased out permanently. The income from these lands was utilised for lamps, festivals etc.4

In connection with the Devadana lands we sometimes hear of Kilvaram tenure. An inscription of the Pandya king Maravarman Tribhuvanachakravarttin

^{1.} EL., VIII, pp. 295-96.

^{2.} SII., I, no. 88; MER., 1916-17, p. 45 (no. 556 of 1916).

^{3.} MER., 1923-24, p. 26 (no. 337).

^{4.} MER., 1921-22, pp. 55 (no. 40).

records the remission of taxes due from the temple servants on their Kilvaram right on certain lands, which were brought under cultivation in the name of a particular temple. We are further told that the mēlvāram from the lands was utilised for offerings to the image in the said temple. An inscription of the Pāndya king Jatāvarman records an order of the village assembly to the effect that a particular donor, who had already granted some lands in the village of Kumbalür after having purchased them, could get these lands cultivated by his own people, enjoy the kīlvāram of the land himself and pay the mēlvāram to the temple for the expenses of the festivals.2 From these it is clear that the produce of the Devadana lands was divided into two main shares, namely, the melvaram or the superior share and the kilvaram or inferior share (kudivāram of later times). The former went to the temple in toto for the enjoyment of the deities in the case of the Devadanas, from which the king claimed no share; and the latter went to the share of the lessee or the cultivators of the land, who had to pay the local taxes, referred to in the above-mentioned inscription of the Pandya king Maravarman, as well as the wages of the labourers, spoken of in the above-mentioned inscription of Jatavarman Pandya. An inscription of the Chola king Rajaraja I refers to a right called Kilbhogam with regard to a flower-garden

^{1.} MER., 1923-24, p. 21 (no. 295).

^{2.} MER., 1923-24, p. 22 (no. 300).

made over to a temple. It appears to be the right of enjoying the kilvaram of the land. We are told that a village assembly, having received a plot of girden land, arranged for its cultivation. The Vaikhanasas undertook to get the land cultivated, in return for the paddy they received from the wet land of the temple. The condition of the lease was that the Devakanmis were always to have the 'Kilbhogam' right, and the Vaikhānasas the lease for cultivating the land; and that bundles of hay weighing not less than one kalam of paddy each were to be collected from every tenant of the village by the Vaikhanasas and used for the benefit of the garden only, not being sent out to Kachchippedu, nor sold for private purposes; and that the irrigation of the wet lands from the channel was to be in the usual order, permitting the temple garden the first claim. This record shows that the temple lands in some cases were managed by at least four bodies, namely, the village assembly, which exercised a general supervision; the Devakanmis, who discharged the function of the daily worship and celebrated the festivals with the income from the land; the lessees (in the above case the Vaikhanasas) of the temple, who were private individuals or a section of the general body of worshippers; and the immediate tenants. As pointed out above, the immediate tenants who cultivated the soil were in some cases the lessees and hereditary tenants. In some cases the Vaikhānasas or the lessees

^{1.} MER., 1915-16, pp. 117, 16 (no. 172).

of the temple had direct relations with the Revenue officials of the Central Government, rather than through the village assembly. Thus according to another inscription of Rājarāja I the Vaikhānasas and the Puravuvari and Varippottagam officers came to an agreement as to the distribution of some income in paddy for temple service.1 The inscriptions also refer to the Kāniyātchi right in connection with the Deva-It implies the right of enjoying the inferior dānas. share (kilvāram or kudivāram) as opposed to Mīyātchi or the right of enjoying the superior share (mēlvāram).2 An inscription of Maravarman Vīra-Pandya records that some temple lands, formerly enjoyed by an individual as Kāniyātchi was sold to another individual because he had left no heir. This shows that while the temple could sell the Kānīyātchi rights of their estates according as occasion had arisen and made an extra profit thereby, it did not part with its melvaram.

CHAPTER VII.

THE CULTIVATED TRACTS AND THE IRRIGATION SYSTEM

The facts about the cultivated tracts, as gleaned from the literature of the different periods, afford us an interesting comparative study relating to the crops raised, the intensive cultivation, the terms of employing hired labour and other relevant deta is in connection with the period under survey. A reference to

^{1.} MER., 1915-16, pp. 117, 16 (no. 183).

^{2.} See also Ch. XI, § 7.

^{3.} MER., 1915-16, p. 126.

the earlier condition is specially valuable in view of the fact that Devanabhatta, who represents the Southern school of lawyers of our period, also refers to such ancient authorities as Nārada, Bṛihaspati, Kātyāyana etc.

§ 1. The Vedicand the Brahmanic Periods.

The fields were furrowed with a plough pulled on as now by an ox or a pair of oxen. Seeds were then sown, and when the crops ripened harvesting was done with a sickle (srini). That the seasonal rainfall was the primary means of irrigation, is evident from the copionsness of the hymns offered to Parjanya (the Rain god). Though there are a few references to wells or reservoirs3 as well as to manure,4 intensive cultivation does not appear to have advanced. As to the crops, the Rig veda mentions Yava (barley) and Dhānā (paddy). In the Atharvan we come across the name of Masha (pulse) in addition, and the maximum number of crops raised is given in the Vajasaneyi Samhita......Rice, Barley, Beans, Sesamum, Kidney Bean, Vetches, Millet, Panicum Miliaceum, Panicum Frumentum, Wild Rice, Wheat and Lentils. The

^{1.} RV., IV, 57, 4.

^{2.} RV., X, 101, 3.

^{3.} RV., X, 101, 5. 6. See also Sāyaņa.

^{4.} Ath., III, 14, 3. Karīsha, cow-dung.

RV., I, 23, 15; II, 5, 6 etc. and I, 16, 2; III, 35, 3 etc.
 See Ved. Ind.

^{6.} XVIII, 12, (Calcutta edition): Vrihayascha u e yavāscha

Tuittirīya Samhitā further tells us that there were two harvests every year, and describes the time best suited for sowing and harvesting. We learn that Barley ripened in the Summer (being apparently sown in the winter), medicinal herbs in the rainy season; Rice in the Autumn (being sown in the Summer or in the early part of the rainy season); and Beans and Sesamum in the Hemanta season and the Winter (Śisira), being sown in the Summer or the rainy season. From the above it is clear that the advantages of a rotation of crops were fully realised. Thus a season of barley (Yava) would be succeeded by one of Vrihi (rice) bean (mudga or māsha) and sesamum (tila). Besides these, other varieties of crops mentioned in the Väjasaneyi Samhita were probably sown on the principle of rotation.4

me māshāscha me tilāscha me mudgāscha me khālvascha me priyangavascha me navascha me syāmākāscha me nīvārāscha me godhūmāscha me masūrāscha me yajnena kalpyantām. Griffith's translation has been followed.

^{1.} V, 1, 7, 3:.....Dvisaiuvatsarasya sasyam pachyate....

^{2.} VII., 2, 10, 2: Yavam grīshmāyaushadhīr-varshābhyo vrīhich-chharade māshatilau hemanta-sisirābhyām tenendram prajāpatirayājāyattatovā indra......

^{3.} Cf. Gobhila, I, 4, 29 and Khādira, I, 5, 37: 'From the rice harvest till the barley (harvest) or from the barley (harvest) till the rice (harvest) he should offer the sacrifices.'

^{4.} As the seasons of the Vedic age did not exactly coincide with those of later times a short note seems necessary here. In the Rig-veda five seasons are mentioned, name-

The adoption of a system of rotation of crops, combined with the undeveloped state of intensive cultivation, apparently gave rise to what is known as the Field-grass system or Pasture or Two-field and Three-field systems. We may also call this system 'Khila' system of agriculture, for the reason that land in those days appears to have been alternately cultivated and left fallow (khila) to recover its fertility. Under the Two-field system there were two plots of land, one remaining under cultivation in any particular year or season, and the other lying fallow (khila) after the last

ly, Vasanta (spring) Grishma (summer) Sarat (autumn), Prā-vrish (the rainy season) and the Hemanta or Hima (the winter). The Brahmanas also mention these seasons. The Samkhayana Grihya Sutra (IV, 18, 1) too refers to only five seasons of the year. It is thus probable that the year of twelve months was divided into five seasons during the Vedic age. A sixth season was recognised later on. See Tilak's Arctic Home in the Vedas, p. 183; Ved. Ind. I, 110-111; Zimmer, Altindisches Leben, 373-374. Kautilya recognises six seasons and thus distributes them: Varshā comprising Śravana and Proshthapāda (mid-July to mid-September), Śarat comprising Aśvayuja and Kārtika, Hemanta comprising Mārgaśīrsha and Pausha, Śiśira comprising Māgha and Phālguṇa, Vasanta comprising Chaitra and Vaisākha and Grīshma comprising Jyaishtha and Ashadha. (Arth., 109)

The subject has been discussed in my paper on 'The Landsystem and Agriculture of the Vedic Age' (Sir Ashutosh Silver Jubilee Volume on Orientalia, Volume III, part 2 University of Calcutta).

In alternate years or so the fallow lands, serving temporarily as pastures, would be brought under cultivation. At a time when intensive cultivation was still in incipiency, this method would enable land to recover fertility easily. In very early times when the number of crops raised did not exceed one or two, the system was a simple one; one plot of land would in a particular season remain under cultivation, say, of Yava (barley) only while the other would remain fallow, say, after the rice harvest. But when the number of crops raised increased, and the 'Kshetrapati' (owners of fields) sowed and reaped more than two varieties in rotation. the system followed must have been a Three-field system, three or four varieties being raised in two of the fields every year and the third lying fallow once in every three years. The ideal system that would work, may be thus indicated: let A, B, and C be the three-fields; then, in the first year, A would produce in rotation, say, Yava and Vrīhi, B would similarly produce in rotation Tila, Māsha, Godhūma or Masūra,2 and C would remain fallow; in the second year, A would be cultivated intensively for one or two crops, B would remain fallow. and C would produce two crops in rotation; in the third year, A would lie fallow. B would produce one or two crops like A in the second year, and C would produce one or two crops like A in the first or the

^{1.} Vaj., XVIII, 12 seems to refer to this.

^{2.} Cf. Vaj., XVIII, 12; Tait. VII, 2, 10, 2; Arth., 116.

second year.....if B produces one crop, C produces two and vice versa.

§ 2. The Periods of the Early Buddhist Literature and of Kautilya and Megasthenes. In the Sāli-kedāra Jātaka, referred to in Chapter IV § 10, we come across an instance of big scale farming carried on by an individual. From the Mahavagga we learn that the Buddhist Sanghas sometimes cultivated lands belonging to private persons and used to get half of the produce as their share, or sometimes let out their own lands in lieu of half of the produce. Of the seedlings belonging to the Sangha, grown upon private ground, half the produce, O Bhikku, you may have, when you have given a part to the private owner. Of seedlings belonging to private persons grown upon the ground, the property of the Sangha, you may have the use, when you have given a part to the owner." Kautilya refers to the rotation of crops and says that Sali (a kind of rice), Vrīhi (a kind of rice), Kodrava (paspulum scrobiculatum), Tila (sesamum), Priyangu (panic seeds), Dāraka and Varaka (phaseolus trilobus) are to be sown before or at the commencement of the rainy season; phaseolus mungo, phaseolus radiatus, and Saimvya in the middle of the season; safflower, Masūra, Kuluttha, Yava, Godhūma, Kalāva, Atasī (linseed) and mustard are to be sown last, that is, in any suitable time after the rainy season.2 We may

^{1.} VI, 39, i (SBE., XVII, p. 143).

^{2.} Arth., p. 116: Śāli-vrīhi-kodrava-tila-priyangu-dāraka-

also note here the statements of Megasthenes: There is a double rainfall in the course of each year.....one in the winter season when the sowing of wheat takes place as in other countries, and the second at the time of the Summer solstice, which is the proper season for sowing rice and 'Bosporum' as well as sesamum and millet.....the inhabitants of India almost always gather in two harvests annually and, even should one of the sowings proved more or less abortive, they are always sure of the other crop.' We are also told that during the rainy season flax, millet, sesamum, rice and Bosporum were sown, and in the winter wheat, barley, pulse and esculent fruits. Kautilya recognises the exhaustion of soil caused by repeated cultivation, and therefore advocates intensive cultivation by the application of manure and the construction of irrigation works. As to manure he mentions cow-dung, powdered bone, fish-manure, and the milk of Snuhi (Euphorbia Antiquorum). The irrigation methods referred to in the Arthasastra and other details in connection with the cultivable tracts have already been mentioned in Chapter IV § 10.

varakāḥ pūrvavāpāḥ. Mudga-māsha-śaimvyāya madhyavāpah. Kusumbha-masūra-kuluttha-yava-godhūma-kalāyātasī-sarshapāḥ paschādvāpāḥ.

^{1.} MC. fr., I, XI.

^{2.} Arth., p. 294: Kritrimā hi bhūmiguņāh.

Arth., p. 117: Śākhinām gartadāho gosthiśakridbhih kāle dauhridam cha. Prarūdāmśchāśushka-katumatsyamścha snuhi-kshīrena Vāpayet.

§ 3. The Later Period. From Manu we learn that the fields were cultivated by the husbandmen with the help of servants. 'If the crops are destroyed by the husbandman's own fault, the fine shall amount to ten times as much as the king's share; but the fine shall be only half that amount, if the fault lay with the servants, and the farmer had no knowledge of it'.1 Manu also lays down certain rules regarding the sharing of a crop by the owner of the field and other persons interested. 'Those who, having no property in a field, but possessing seed corn, sow it in another's soil, do indeed not receive the grain of the crop which may spring up.'2 If no agreement with respect to the crop has been made between the owner of the field and the owner of the seed, the benefit clearly belongs to the owner of the field." But if by a special contract (a field) is made over (to another) for sowing, then the owner of the seed and the owner of the soil are both considered in this world as sharers of the crop. 'If seed be carried by water or wind into somebody's field and germinate there, the plant sprung from that seed belongs even to the owner of the field; the owner of the seed does not receive the crop.'5 The Milinda-panha thus describes the details of a husbandman's work: 'A husbandman

^{1.} VIII, 243.

^{2.} IX, 49.

^{3.} IX, 52.

^{4.} IX, 53.

^{5.} IX, 54.

will first remove the defects in the soil-weeds and thorns and stones, and then by ploughing, and sowing and irrigating and fencing and watching and reaping, and grinding will become the owner of much flour.'1 It also mentions flax, silk, cotton, hemp, rice, paddy, barley, millet, kudrusa grain (?), beans, wheat, Vishnu Samhitā oilseeds, vetches etc. The refers to sesamum, rice, barley, beans, Śyamaka grain, millet, wild rice, kidney-beans, wheat, etc.,3 and apparently refers to the rotation of crops, while speaking of the crops growing in the rainy season, winter and spring. The Chinese pilgrim, Hiuen Tsang, recognising these agricultural facts, says: 'As to agricultural operations, reaping the crops, preparing the soil, sowing and planting go in their seasons according to the industry or laziness of the people. There is much rice and wheat, and ginger, mustard, melons, pumpkins and 'kunda' are also cultivated. Onions and garlic are little used. The pilgrim also mentions many fruit trees that were grown.4 The Parasara Samhitā devotes a chapter on the method of cultivation, which appears to be based on the earlier authorities. The Yuktikalpataru, a work of about the eleventh century A. D., recognising the tendency of the soil to sterility after repeated cultivation, advocates shifting cultivation⁶ or what is known in the South

^{1.} VI, 22 (SBE., XXXVI).

^{2.} IV, 7. 11. (SBE., XXXVI).

^{3.} LXXX, 1. (SBE., VII, 249); V, 79-80 (SBE., VII, 32).

^{4.} Watters, I, 177-178.

^{5.} Ch. II (Calcutta edition).

P. 6 (Calcutta edition): Tathā varsheshu versheshu karshaņādbhū guņa-kshayaḥ. Ekasyām guņahīnāyām krishimanyatra kārayet.

Indian inscriptions as, 'Kumari' cultivation.

§ 4. The Views of Devanabhatta. As Devanabhatta relies mainly on Yājñavalkya, Nārada, Brihaspati and Kātyāyana, we may accept the facts regarding the cultivable tracts contained in these Sastras as applying to our period as well. In the light of these authorities we may classify the cultivable tracts into three groups, namely, the big estates which were managed by their owners with the help of the Kautumbikas; the tracts which were leased out by their owners to small farmers or labourers on varying terms; and the tracts which were cultivated on a co-operative Regarding the big estates we read in the Nārada Samhitā; 'One appointed to manage the property of the family and to superintend the household, must also be regarded as a labourer. He is also termed Kautumbika (the general family servant)'.1 The second class of land may be subdivided into two groups, the first consisting of those tracts which were cultivated by their owners with the help of agricultural servants or hired labourers. According to Narada when no special agreement has been made previous to employment, the hired servant should receive one-tenth of the profit of the grain. Vijnaneśvara also supports this injunction by quoting an analogous text from Yājñavalkya (II, 194): 'He, however, should be made

^{1.} V, 24. See Ch. IV, § 10.

^{2.} VI, 3: Bhritāvanischitāyām tu dasabhāgam samāpnuyuļi, lābha-govīja-sasyānām vanig-gopa-krishīvalāḥ.

to pay by the rule of the land a tenth part of the proceeds of trade, cattle or crop, who, without settling the wages, causes work to be done.1' Devanabhatta quotes both Nārada and Yājñavalkya in support of this rule in his Smriti-chandrika.2 These labourers who were given food and clothing seem to have received altogether one-fifth of the crop, and those who served in consideration of the profit alone seem to have obtained one-third of the produce. Devanabhatta supports this rule.4 The second sub-group included those cultivated tracts, which were leased out by their owners to small farmers on certain conditions. The first essential condition was that the farmer must cultivate his leased holding. Says Brihaspati: 'When a man has leased ground he shall sow and watch it and reap the harvest in due season. If he fails to do so, he shall be compelled to make good the average value of the crop to the owner.' Devanabhatta, commenting on this rule, says that the lessee should cultivate the land in proper seasons. We may refer in this connection to two inscriptions of king Jatavarman-Sundara Pāndya (1270-1310), where it is distinctly laid down that the donee should not keep the lands

^{1.} Mit. Vetanādāna prakaraņam. (P. 123).

^{2.} Pt. II, p. 470.

^{3.} Br., XVI, 12. 13. (SBE., XXXIII, 345).

^{4.} Pt. II, p. 471.

^{5.} XIX, 29 (SBE., XXXIII, 355).

^{6.} Sm. Ch., II, 558.

fallow. On the authority of Brihaspati, Devanabhatta further lays down that the lessee, who cultivates the land in the middle of the season, should be fined in proportion to the losses. He who does not do so till the season is over, shall not only make good the loss to the owner, but also pay a fine. If the leased land has remained uncultivated for all times, that is, even before the lease was taken (chirakalamakrishtakshetram), then the lessee, who has neglected cultivation, would have to make good one-tenth of the probable produce; if it was cultivated already, the lessee would have to pay one-eighth; if the leased land has been dressed up but not cultivated, then the lessee would have to make good one-sixth of the probable produce.3 The owner of the land had also in such cases the right of resuming his land from the defaulting farmer. Says Yajnavalkya: 'He who having ploughed a plot of land does not sow seeds or make another sow seeds, must pay (the owner) that quantity

^{1.} MER., 1915-16, pp. 123-124.

^{2.} Sva-samskrite tu kshetre svīkrity-opekshite.

^{3.} Sm. Ch. II, 559: Says Brihaspati: Chirāvasanne daśamam krishyamāņe tathāshṭamam, svasamskrite tu shashṭham syāt parikalpya yathāsthitam (quoted in the Smriti-Chandrikā). Vivādachintāmaṇi (p. 65) gives the reading 'sasamskrite', Vīramitrodaya reads 'susamskrite', and Vivāda-ratnākara makes it 'asamskrite' in place of Devaņabhaṭṭa's 'svasamskrite' (Vīramitrodaya, p. 469 and Vivāda-ratnākara, p. 229). These commentaries take Brihaspati's injunction in a slightly different sense.

of corn which it would have yielded: (and the owner) shall make over the land to another.' Nārada states the law that prevailed in connection with the cultivation of a piece of land by a stranger without the concurrence of its legal owner. 'When the owner of a field is unable (to cultivate it) or dead or gone no one knows whither, any stranger who undertakes its cultivation unchecked by the owner or others shall be allowed to keep the produce.' When the owner returns while the stranger is engaged in cultivating the field, (the owner) shall recover his field, after having paid (to the cultivator) the whole expense incurred in tilling the waste.' When, however, the owner failed to compensate the person who had cultivated his land, he was entitled to the eighth share of the produce for seven successive years, after which he could recover his land. Says Nārada: 'A deduction of an eighth part (shall be made) till seven years have elapsed. But when the eighth year arrives, (the owner) shall recover the field cultivated (by the other as his independent property).'* Devanabhatta quotes an analogous text from Kātyāyana: 'If through want of means the owners do not repay the expense entailed by the cultivator of the waste, the cultivator shall be

II, 161: phālāhatam-api kshetram yo na kuryyānna kārayet, tam pradāpyakrishţasadam kshetramanyena kārayet.

^{2.} XI, 23-24. (SBE., XXXIII, 159-160).

^{3.} XI, 25. (SBE., XXXIII, 160).

allowed to keep the annual produce minus an eighth for seven years; after that period it shall belong to the proprietor.¹ It should be noted that as this occupation was for less than twenty years, it did not constitute any prescriptive right of the occupier. This class of land, as referred to in the Nārada Samhitā and Kātyā-yana Dharma Śāstra, should not be confused with the leased lands, nor with the lands cultivated by their owners with the help of hired labourers. This was a different class of land under the direct occupation of a private individual, but cultivated by others without the express consent of their owners. Devanabhatta further goes on to say that these rules regarding the recovery of land could be enforced by the sons on the death of their father.²

The laws and conditions governing co-operative cultivation have been clearly stated by Brihaspati and have been quoted by Devanabhatta thus: 'Tillage should be undertaken by a sensible man jointly with those who are his equals in point of cattle, workmen, seeds and the like as well as implements of husbandry. They are not to cultivate pasture ground, land adjacent to a town or to the king's highway, barren soil and ground

Aśaktito na dadyach-chet khilarthe yat krito vyayah. tadashţa bhaga-hinantu karshakah phalamapnuyat, Varshanyashţau sa bhoktā syāt paratas-svāmine tu tat. Quoted in Sm. Ch., II, 560.

^{2.} Sm. Ch., II, 561 :.....aśākta-nashṭa-kshetravishaye tu teshāmāgamane tatputrādīnāmagamane vā kāryamiti.....

infested by mice." We further note: 'When by the deficiency of one partner as to cattle or seeds a loss happens in the produce of the field, it must be made good by him to all the husbandmen."

§ 5. The South Indian Inscriptions on the Cultivation of Land conducted under the Supervision of the Village Assemblies. In the Villages, where the ownership of the cultivated land was joint, the work of cultivation was looked after by the assemblies. The share of the assembly as landlords appears to have been two-thirds of the produce and that of the tillers of the soil one-third (Cf. Brihaspati, quoted above). Thus a record of the reign of Parantaka I, dated in the early part of the tenth century A. D., tells us that the assembly had a piece of land cultivated on the terms of two to one obtaining in this village,' that is, on 'a system of contract by which two shares of the produce were assigned to the landlord and one to the cultivator or vice versa,' Probably this division of the produce was effected after the deduction of the melvaram or the government revenue.

na cha

Ye samānāstu tais-sārddham kṛishiḥ kāryāvijānatā Parvate nagarābhyāse tathā rājapathasya

Parvate nagarābhyāse tathā rājapathasya cha

Usharam müshikävyäptam kahetram yatnena Varjayet. Quoted in Sm. Ch. II, 434.

^{1.} XIV, 21-22: Vāhyakarshakāvijādyaih kshetr-opakaraņe-

^{2.} XIV, 25. (SBE., XXXIII, 340).

^{8.} SII., III, no. 110.

This inscription also shows that there was no hard and fast rule about the exact sharing of the produce. It depended apparently on the local customs as well as on the fertility of the soil.1 On the evidence of a record of the time of the Ganga-Pallava king Dantivikramavarman (c. ninth century A. D.) we learn that the assembly used to resume the land when the cultivators failed to pay the taxes duly.2 (Cf. Brihaspati and Devanabhatta's views). From an inscription of Rajendra Chola I it appears that the assembly sometimes made over the right of collecting the taxes from the cultivated areas to private individuals (Cf. the function of the Kautumbika). With regard to the temple lands we often find that the local village assembly looked after them in return for a sum of money. Thus, in return for an annual payment of 18 Ilakkāśu by the local temple, the village assembly of Narasimhamangalam agreed to look after the temple lands and to discharge certain other functions.4 A Sudi inscription of Vikramaditya VI, dated in the early part of the eleventh century A. D., tells us that the six Gavundas and the eight Settis of Sündi representing the lay administration, leased ont to the Mahajanas or heads of the Brahmana community certain specified estates, namely, 114 mattar of black land, which the latter

^{1.} See Ch. XI §§ 6-9.

^{2.} MER., 1922-23, p. 128.

^{3.} MER., 1918-19, p. 96.

^{4.} SII., III, no. 106.

were to enjoy on payment of a murggaru vaṇa (-paṇa), due when the produce of the fields. Was divided. It was further stipulated that they were to take due care of the estates, and not alienate the land or a single street in which they resided inspite of any pressure. A record of the reign of Rājarājakeśarivarman Rājarāja I, dated about 996 A. D., shows that, at the time of making over the temple estates to the village assembly, the temple trustees fixed the rates of taxes to be realised from the land. We further learn that the assembly realised from the temple estates Siddhāya, Daṇḍāya, and Paūchavāra, and probably sometimes Sillirai.

When the temple lands were under the direct management of the Devakanmis or temple trustees, the latter used to fix the rate of mēlvāram (the upper share), that the cultivators or the individual to whom the land was made over, had to pay. Thus a record of the Pāṇḍya king Jaṭāvarman Sundara-Pāṇḍya (1270-1310) tells us that the Maheśvaras, Śrī-rudras, Devakanmis and the temple accountants granted certain temple lands as 'Kāṇippiḍipāḍu' to an individual on the condition that he would enjoy them, after repairing the tanks in disuse and bringing under cultivation such of the lands as were covered with jungle, and that so long as he would enjoy them under these cir-

^{1.} EI, XV, p. 76.

MER., 1917-18, pp. 143, 33 (no. 362). See also Ch. III § 7.

cumstances, he would have to pay a melvaram at the following rate:

One-third for Pasan*.

One-fifth for crops, such as, Tinai (a kind of grain), Varagu, Ellu (gingelly), Payaru (a kind of gram), Kuruvai (a kind of paddy), Kurambu (sugar cane), Kolundu (kind of scented leaf), Karunai (yams), Manjal (saffron), Inji (ginger), Śengalunir (? red cocoanut), Valai (plantain), Valudalai, Pūśani (pumpkin).

One-fifth from trees like mango, Jack-fruit tree, Nattai, Lime tree, Kulaviruli, Nelli and Iluppai.

One-seventh for cocoanut and areca palms.

One-seventh for dry crops (according to yield).

A progressive rate of tax was levied on land brought under cultivation by clearing jungles: one-tenth first year; one ninth second year; one eighth third year; one-seventh fourth year; and one-third for the subsequent periods permanently (Cf. Brihaspati). A record of the Pāṇḍya king Māravarman Vīra-Pāṇ-ḍya (c. 1303) fixes the mēlvāram of a Devadāna at one third for the paśānam (harvest?), one-fifth for the garden crops Māvaḍai and Maravaḍai, and one-seventh for dry crops. An inscription of the fifteenth century A. D. records an agreement arrived at by the templemanager and the tenants of the temple land as to the Mēlvāram on areca, cocoanut, mango and other

^{1.} MER., 1915-16, pp. 123, 70 (no. 66).

^{2.} A kind of rice reaped in April or May (Winslow's Tamil Dictionary). See also MER., 1914-15, p. 107, note.

^{3.} MER., 1915-16, p. 126.

trees grown on the 'Tiruvidaiyāṭṭam' lands of the temple. It was formerly three-fourths but it was now reduced to two-thirds, so that one-third now went to the share of the tenants. In the case of sesamum, green-gram and sugar-cane the rates obtaining in the neighbouring villages were adopted, and in cases where betel, plantain and other quick-yielding crops were reared side by side in the newly planted areca and co-coanut groves, the mēlvāram was fixed at three-fourths of the old rates.'

An inscription of the early part of the fourteenth century A. D. fixes the following apportionment of the produce of the soil between the landlord and the tenant in an Ekabhoga Brahmadeya village: as to Kadamai (that is, taxes paid in kind), in cases of Kar paddy (? paddy in wet fields), for both the crops of the year, the landlord is to get one-twentieth; that the dues, palli, pād-kāval, perum-pādikāval, śudu (sheaves of corn) given to servants, araivadai and alkuli should be charged on the whole village in common (that is, on the whole body of the cultivators) and that the remainder should be distributed in the ratio of 1:4 between the landlord and the tenant; the straw and the green grass, (payaru) that is generally sown just before or after the harvest, have to be equally divided between them. As to the Kudimai right, that is, payment in money, the rate is as follows: as to Kar half a panam for

^{1.} MER., 1919-20, pp. 114, 43 (no. 655).

^{2.} Kisamwar Glossary, p 10.

the first crop and one-fourth for the second for every plot of land. As to threshing expenses, which is to be bourne equally by the landlord and the tenant, one tini one padakku for the first crop per plot and half of it for the second crop. In the case of dry crops, such as, turmeric, castor-seeds, cotton and gingelly, the seed-grain is to be supplied by the landlord, and the yield is to be divided equally. Supply of labour, storing of grain in the landlord's granary and the work of repairing ridges in the fields devolved on the landlord exclusively.

§ 6. The Kumari or Shifting Cultivation. The shifting cultivation, referred to in the Yuktikal-pataru (See above), was in vogue among the hill-tribes of Sonth India during the period under survey. A record of the Chola king Rajendradeva II, dated 1072 A. D., tells us that a cloth (? pudavari) was to be given to the government for every 1500 kuli of land, on which Kumari (kumri) was carried on by the hill-tribes. This kind of cultivation still exists and is thus described by Baden-Powell in his Manual of Land Revenue and Land Tenure of British India: The practice consists in selecting a hill-side where the excessive tropical rainfall will drain off sufficiently to prevent flooding of the crop, and on which there is a sufficient depth of soil. A few plots are selected and

^{1.} MER., 1920-21, pp. 100, 34 (no. 509).

^{2.} EC., X, pp. 86-87.

^{3.} Pp. 102-103.

all the vegetation carefully cut...... The refuse is left on the ground to dry. At the proper season, when the dry weather is at its height and before the first rains begin and fit the ground for sowing, the whole mass will be set on fire: the ashes are dug into the ground and the seed is sown.....usually being mixed with the ashes and the whole dug in together. The plough is not used. The great labour after that consists in weeding, and it is the only labour after the first few days of hard cutting, to clear the ground in the first instance, are over. Weeding is, in many places, a sine qua non, for the rich soil would soon send up a crop of jungle growth that would suppre s the hill-rice or whatever it is that has been sown. A second crop may be taken, the following year, possibly a third, but then a new piece is cut and the process is repeated.....When the whole of the area in the locality judged suitable for treatment is exhausted, the families or tribes will move off to another region, and may, if land is abundant, only come back to the same hill sides after twenty or even forty years. But when the families are numerous, the land available becomes limited and then the rotation is shortened to a number of years.....seven or even less.....in which a growth, now reduced to bamboos and smaller jungle, can be got up to a sufficient density and height to give the soil and the ash manure necessary.'

The inundations often resulted in the cultivable tracts being submerged and silted up with sand. It

was very costly to make the land fit for cultivation again. A Chola record tells us that while the cost of six mā of land was 2000 kāśu, the cost of reclamation was 2000 kāśu.

§ 7. The Irrigation-system as referred to in the Early Literature and the North Indian Inscriptions. The subject of irrigation is of great interest in connection with the organisation of the cultivable tracts, especially with reference to South India. Rivers, canals, tanks, wells etc. were utilised from a very early time for irrigating the cultivable areas. The Kāma Jātaka speaks of a Brahmana clearing the jungle for cultivation and making little embanked squares for water. We also hear of the rivers being dammed for the purpose of irrigation. Says the Kunāla Jātaka. 'The Sakiya and the Koliya tribes had the river Rohinī, which flows between the cities of Kapilavasthu and Kolia, confined by a single dam, and by means of it cultivated their crops. In the month of Jetthamula when crops began to flag and droop, the labourers from both the cities assembled together. Then the Koliyans said, 'Should this water be drawn off on both sides, it will not prove sufficient for both us and you. But our crops will thrive with a single watering, give us then the water.' Kautilya refers to at least four ways of irrigating the fields, namely, by employing manual labour, by carrying water on shoulders, by using water-

^{1.} MER., 1918-19, p. 93.

^{2.} Vol. IV, no. 476.

^{3.} No. 536.

lifts and by using water raised from tanks, rivers, etc.1 The exact difference between these methods is not stated. It appears that wind-power and bullocks were employed for irrigation purposes. Kautilya also refers to sluice-gates of tanks and enjoins that 'persons letting out the water of tanks at any other place than their sluice gate shall pay a fine of six panas; and persons, who obstruct the flow of water from the sluicegate of tanks, shall also pay the same fine." It is further laid down that 'the water of a lower tank, excavated later on, shall not irrigate the field (already) irrigated by a higher tank, and the natural flow of water from a higher to a lower tank shall not be stopped, unless the lower tank has ceased to be useful for three consecutive years.'4 The real significance of these injunctions become quite clear when we study them in the light of the South Indian inscriptions (See below). The statements of Kautilya are thus corroborated by Megasthenes: 'The greater part of the soil is under irrigation, and consequently bears two crops in the course of a year." He further tells us: 'Some superintend the rivers, measure the land as is done in Egypt. and inspect the sluices by which water is let out from

^{1.} Bk. II, Ch. 24. See also Ch IV § 10.

^{2.} Bk. III, Ch. 9. (original, p. 170).

Arth., p. 170: Setubhyo muñchatas-toyam-apāre shatpaņo damaḥ. Pārevā toyamanyeshām pramādenoparūndhataḥ.

^{4.} Bk. III, Ch. 9. (original, p. 169).

^{5.} Mc. Fr , I.

the main canals into other branches, so that everyone may have an equal supply of it." Early epigraphic evidence also shows that great care was bestowed on irrigation works. The Junagadh rock inscription of Rudradaman records that the Sudarsana lake was constructed by Pushyagupta the provincial governor of Chandragupta Maurya; it was subsequently adorned with conduits by the Yavana king Tushaspha for Asoka It was then destroyed and remained thus for a long time. Then about 150 A. D. Suviśākha the minister of Rudradaman restored it.2 On the authority of an inscription from Nepal dated in the seventh century A. D. we learn that king Jishnugupta, having repaired a water-course, made it over to the residents of a number of villages with the irrigable fields near the water-course. They were required to pay a waterrate for maintaining it and were not to allow any other villagers to lead the water-course elsewhere.3

§ 8. The Dharmasastras and Devanabhatta on Irrigation. The Dharmasastras lay down elaborate rules regarding irrigation works. As Devana bhatta specially refers to and support the statements of Yajnavalkya, Narada, and Katyayana in this connection, we take up these authorities here for our consideration. Narada and Yajnavalkya thus classify and lay down the laws concerning the construction of dikes

^{1.} Ibid, Fr. XXXIV.

^{2.} EI., VIII, p. 40.

^{3.} Ind. Ant., IX, p. 172.

(water-courses). The dikes are the 'Khanya' or 'Kheya', that is, what is dug into the ground, and 'Bandhya', that is, what prevents access of water: the construction of a dike in the middle of a field belonging to another person may not be prevented, as this may produce great gain at a triffing loss. Yājñavalkya further says that if a person constructs a dike upon another's land, without informing the owner thereof, the latter, and in his default the king, is entitled to all the benefits accruing therefrom.3 According to Nārada, 'if a man shall put in repair a dike erected long ago but decayed, without asking the permission of the owner, he shall not have (the use and) profits of it." Here the negative aspect of the law is only stated, leaving a doubt as to who should be the owner of the profits. Yājnavalkya makes the legal owner of the land the owner of the resulting products, and in his default the king. Kātyāyana lays down an analogous injunction. It might so happen that a cultivator was under the necessity of constructing or repairing a dike

Nar., XI, 18: Setustu dvividho jñeyaḥ khanyo vandhyastathaiva cha, toya-pravartane khanyo vandhyaḥ syādvinivartane. Quoted in Sm. Ch. II, 555. Jolly's text of Nārada slightly varies from this.

^{2.} Nar., XI, 17. (SBE., XXXIII, 158).

^{3.} II, 160 (Calcutta edition).

^{4.} XI, 20. (SBE., XXXIII, 159).

Asvāmyanumatenaiva samskāram kurute tu yaḥ, grihodyānatatākānām samskartā labhate na tu. Quoted in Sm. Ch. II, 558.

in another's land, in order to effect improvement in his own field. In such cases, as pointed out above, he had to obtain permission of the legal owner; but if the owner was dead and there was none in his family to give this permission, then the cultivator had to obtain permission of the king.¹

§ 9. The South Indian Inscriptions on the Irrigation-works of the South. The South Indian inscriptions abound in references to tanks and channels meant for irrigation. Mr. V. Venkayya, in the Annual Report of the Archaeological Survey of India, 1903-4, has collected the facts about the irrigation-system in South India, as set forth in the inscriptions published up to 1902. A brief summary of these along with some new facts are given here. Karikāla, who is supposed to have flourished about the first or second century A. D. is said to have constructed the high banks of the Kaveri to save the country from inundations; at the same time he as well as his successors are credited with the construction of the irrigation canals, Vennāru, Arasil etc. of this river.4 The tank at Talagunda (Mysore) was excavated by

Nar., XI, 21. Mrite tu svāmini punah tadvamsya vā-pi mānave, rājānamāmantrya tatah prakuryyāt setukarmma tat.

^{2.} Pp. 202-211.

^{3.} See Smith's Early History of India (fourth edition), p. 482.

^{4.} See Ind. Ant., XLI, p. 148.

king Kakusthavarman about the first half of the sixth century A. D., and the two tanks mentioned in the inscriptions of king Anantavarman and Indravarman were probably constructed shortly after in the Telugu country. The Pallava king Mahendravarman I of Conjeeveram excavated the first tank in the Tamil country about the early part of the seventh century A. D., and his great grandson is credited with the construction of the Parameśvara-tatāka about the latter part of the seventh century A. D. The land irrigated by the tank was divided into twenty-five parts, five of which were meant for public purposes. The Tiraiyanēri tank, referred to in an inscription of Nandivarman Pallava (early part of the eighth century A. D.), was probably built by an earlier king.1 Another inscription of Nandivarman refers to water-levers (jalayantra).3 The tank at Uttaramallur called Vayiramega-taţāka was constructed by one of the Pallava kings. King Dantivikramavarman (ninth century A. D.) excavated a tank at Gudimallam (in North Arcot). King Kampavarman of the Ganga-Pallava line constructed one at Ukkal. The tank called Kanakavalli-eri at Solapuram dated from about the ninth century A. D. The Kaveripak tank, 'the most extensive in the district, having a bund about four miles long stretching from north to south', was dug about the latter half of the ninth century A. D. To this period also belong the Chitrameghatațāka in Arcot as well as the sluices of the tank at

^{1.} SII., II, no. 73.

^{2.} SII, no. 74.

Tundalam. In the tenth century quite a number of these tanks were excavated such as the Cholavaridhi by Parantaka I, the tanks at Sodiyambakkam and Takkolam (in Arcot), the feeding channel of the tank at Vinnamangalam, the tanks at Tanagunda (Mysore) and Chikballapur (Kolar), the tank referred to in the inscription of Rājakeśarivarman and Parāntaka I, as well as the Uyyakkondan channel attributed to Rajaraja I or one of his ancestors. An inscription of Rajendra Chola I refers to a tank called Madhurantakapperëri. The 'Big Tank' at Bahur (near Pondicherry) mentioned in an inscription of Rajaraja Chola I (385-1013) apparently belongs to this period. In the eleventh century was excavated the tank at Arikeśarimangalam, referred to in an inscription of Rajaraja I; and in the twelfth century the tank at Anamkonda (Nizam's Dominions), attributed to the Kākatiya minister Beta, and the tank with a sluice at Sindhuvalli (Mysore) during the reign of Kulottunga I.

§ 10. The South Indian Inscriptions on the maintenance of the Irrigation-works. The village assembly and especially its executive committee, the Tank Supervision Committee (Eri-vāriyam), looked after the maintenance of the irrigation works of a village, by repairing breaches and dams, removing silt-deposits, regulating the proper distribution of water-supply and attending to all other details. We have already partly referred to their manifold functions in

^{1.} MER., 1918-19, p. 96.

this connection.¹ It has been pointed out that the Eri-vāriyam realised the dues known as ēri-āyam from specified localities irrigated by a particular tank for its maintenance.¹ The committee or the assembly also received donation in money or in land (ēri-ppatti) for the upkeep of irrigation works. A kind of grant known as Daśabandha, that is, 'land granted to a person for repairing or building a tank on condition of paying in money or kind one-tenth or some small share of the produce,' or 'land granted at one-tenth of the usual rates to a person in consideration of his constructing or repairing a tank,' was also common.¹ Such grants are also known as Daśabandha-mānya.⁴ The Daśabandha grants are also implied by grants known as Koḍaṅge or Koḍge or Koḍage in the Gaṅga-Pallava kingdom.⁵

^{1.} See Ch. III, § § 6, 10.

^{2.} Ibid. MER., 1918-19, p. 96.

^{3.} Ind. Ant., XXX, 107, 267; EI., XVI, p. 52; EC., III, p. 35; IV, p. 12 (Intro.), MER., 1921-22, p. 11 (no. 206); 1922-23, p. 128. Arch. Rep., 1903-4, p. 205. According to Kautilya Dasabandha implies a share of one-tenth of the produce given by a landlord to a cultivator or labourer (Arth., 170). Manu (VIII, 107) uses it in the sense of a fine imposed on witnesses who do not appear in cases of loans of money.

^{4.} MER., 1923-24, p. 36 (no. 439).

^{5.} EI., VIII, 51; EC., III, pp. 8, 13; IV, 6 (Kodige lands were hereditary) Kisamwar Glossary gives the following meanings: (1) lands having an invariably fixed rent, not liable to any change on account of the seasons etc. and

A Hoysala inscription dated 1196 A. D. records the grant of 'eight salage of rice-land under the tank as a Kere-godage.' In the Ganga-Pallava kingdom this grant was also known as Bittu-vatta,2 'Bittu-kattu' appears to be another name for this tenure. A Pallava record dated 950 A. D. registers the remission of the 'bittukattu of the Bangavadi tank.' Another Pallava record of the same time registers the grant of 'the bittukattu of the Mandikal tank." We sometimes hear of a joint body of the residents of a village granting a piece of land to an individual, in recognition of the latter's constructing a tank for the benefit of the village. Thus an inscription dated 907 A. D. from the Mandya Taluq (Mysore) tells us that 'the farmers and families of Kadarur, uniting, granted land as follows under the channel of the tank constructed by Kachchavara Polala Setti: 35 Kandugas of land Polala-Setti, if it pleases him, may take; and out of them, may enjoy five on his own credit, and the remaining 30 on partnership credit; the village he may

saleable, (2) lands granted for service in connection with the restoration or construction of tanks, or of their maintenance in good order.

^{1.} EC., V, p. 184.

^{2.} Vaṭṭa, a reduction (?), bittu, sowing or cultivation (EC., IV, p. 12 Intro. and p. 127; see also p. 130 no. 71). The expression may also imply a permanent right of sowing (bittu, seed: vaṭṭa-paṭṭa, authority).

^{3.} EC., X, p. 60.

^{4.} EC., X, p. 122.

extend and enjoy." There is an ancient custom in South India to parcel out plots of land irrigated by the source, among a few families, who were required to take out fixed quantities of mud or sand from the bed and throw them on the bund every year.

An inscription of the reign of Rajendra Chola I shows that in each village there was some common understanding about the distribution of water for irrigation. This allotted quantity of water was utilised by digging canals, and the cultivators, for whom the canal was not intended, were forbidden to cut branch channels from, or to bund up the water, or to raise it by small piccotas or to bale it out by baskets (Cf. the Nepal inscription mentioned above). Those who had the right to use the water were required to make the most economical use of it without any wastage. Canals. flowing across other villages to irrigate the lands of another village and vice versa, might be allowed to flow over the boundary line and to cast up silt. The tank-embankments could also be raised to a certain limit to contain the maximum quantity of water.

^{1.} EC., III, p. 39.

^{2.} Ind. Ant., XLI, p. 148.

^{3.} SII., III, no. 205.

CHAPTER VIII.

THE WASTE LANDS, THE PASTURES AND THE BOUNDARIES.

The waste lands treated of in this chapter may be classified into three groups, namely, the tracts which the community utilised in a variety of ways, such as, the cremation or burial grounds, timber-forests, elephant-preserves etc.; the tracts which were left fallow for a certain period and then utilised as cultivable lands (these served as temporary pastures under private occupation); and the tracts made use of as the public pasture land.

§ 1. The Waste Tracts in General. The Vedic literature does not make a clear distinction between the forest-tracts and the waste-lands as such, and, in fact, the Vedic 'Aranyānī' is meant to imply both.¹ In later times, however, the waste lands were classified and utilised according to their suitability. In the chapter on 'Bhūmichchhidra-vidhānam', that is, on the organisation of land other than the cultivable tracts¹ Kauṭilya lays down the various ways in which the waste tracts were made use of. These tracts included pasture grounds, elephant-forests, timber forests,

^{1.} See Ved. Ind., aranyā (I. 33). See also IX § 1.

^{2.} Arth., 49. Dr. Samasastri's translation of this expression as 'Division of Land' seems to me to be vague. For a note on this expression see my paper on the Land System in accordance with the Epigraphic Evidence etc., in the Ind. Ant., LI, pp. 76-79.

and 'Aṭavî' or tracts apparently inhabited by a class of people called, in the Jātakas.1 'Aḥaviya' or 'āṭavika'. A detailed account of such waste lands falling under the forest tracts has been given in the next chapter. We may include under this group the burning grounds (śudukādu) of the high castes as well as of the low castes, the land used as pit (pallavay), the threshing floors of the village etc., mentioned in the South Indian inscriptions.2 In this group may also be included those wastes attached to the villages, which could not be for some time used for any purpose whatever, such as, the plots of land damaged and flooded by a river; or, the land lying fallow either for want of cultivators or for other reasons (manjikkam). The village assemblies of the South exercised the right of ownership over such waste tracts.3 Thus an inscription of the time of Rajendra Choladeva records that a village assembly reclaimed 2240 kuli of land, which had been lying waste (manjikkam) without yielding any taxes, and gave it to a local temple.4 Another South Indian inscription refers to the garden and the cultivable lands belonging to a temple, a: having remained waste on account of a river silting it up with sand. Such waste lands were regarded as tax-free, so that the vil-

Khurappa Jataka (no. 265), Jayaddisa Jataka (no. 513)
 etc. See Ch. IX § 2.

^{2.} SIL, II. nos. 4, 5.

^{3.} See Ch. III. § 6.

^{4.} MER., 1922-23, p. 77 (no. 176 of 1923).

^{5.} SIL, III, no. 156.

lages did not pay any tax for these to the royal treasury.¹

§ 2. The Khila Lands and the Private Pastures. The second class of waste land was meant for cultivation, but could not be utilised for some time owing to their lack of fertility. Such lands were therefore left as 'khila' or waste for a definite period. This practice in agricultural methods dated from a very early time (See chapter VII §§ 1-4). In the Nārada Samhită we come across a classification of these fallow lands according to the number of years they remained in that state. Thus there were the 'Arddha-khila' or half-fallow land, which was left fallow for one year; the 'Khila', which was not cultivated for three years; and land, 'as good as forest land,' which was not cultivated for five years. This classification is recognised by Devanabhatta, which shows that it was in vogue in the South during the period under survey. The South Indian inscriptions also refer to various qualities of land, which probably relate to this sort of classification. Thus an inscription tells us that a private individual bought some second rate and fourth rate waste lands from a particular village assembly to make them over as 'Śrī-vali-bhoga' (that is, an estate for the maintenance

^{1.} See Ch. III. § 4.

Nar., XI, 26: Samvatsareņ-ārddhakhilam khilam tadvatsarais tribhiḥ, pañchavarshāvasannam tu syāt kahetramaţavīsamam.

^{3.} Sm. Ch., II, 560.

of certain temple-rites) to a god. This sort of classification of land was in vogue down to at least the Mogul times. Akbar, we learn from the Aiyni-Akbari, made a classification of the wastes into Parauti, land left fallow for a year or two; Chachar, land left fallow for three or four years; and Banjar, land uncultivated for five years or more.

These wastes no doubt served as temporary pastures after the last harvest, and private ownership existed over them. This class of pasture is apparently referred to by the word 'Vivīta' in the Yājñavalkya Samhitā. It is thus laid down in the Samhitā: the owners of animals that have grazed on crops (belonging to an individual) are to be punished with double the amount; the same amount is to be levied even when it has destroyed a 'vivīta' (private pasture). Again, we are told that if the cowherd allows cattle to graze on a 'vivīta' willingly, he is to be punished. In the Mitāksharā the word 'vivīta' is defined as that 'portion of land where grass and fuel are stored in abundance and which is enclosed and guarded. Devaṇabhaṭṭa' gives the same interpretation and refers to its individual owner-

^{1.} SII, III, no. 182. See also SII., III, nos. 156, 167.

^{2.} Aiyni-Akbari, Bk. II, aiyni, 5 quoted in V. Smith's Akbar, 374.

^{3.} II, 162: Bhakshayitvopavishtänäm yathoktād-dviguņo damah, samameshām vivīte-pi kharoshtram mahīshīsamam.

^{4.} II, 165: Pathigrāmavivītānte kshetre dosho na vidyate, Akāmatah kāmachāre chauravad-daudamarhati.

^{5.} Vivītah prachura-triņa-kāshtho rakshyamāņah parigrihīto bhūpradešah. Mit., 109. (tr., 299).

ship.¹ Yājñavalkya also refers to the individual ownership of the 'vivītas'. We are told that 'in case of murder or theft the village headman is responsible for failing to trace the way of the offender; for offences committed in the (private) pasture its master is responsible, and for offences committed on roads and outside the pasture the guard thereof.' Yājñavalkya apparently makes a distinction between these 'vivītas' or private pastures and 'parīṇāha' or 'prachāra', that is, public pasture, which is treated of below. It should be noted that the word 'vivīta' is also used in the sense of public pastures.

The inscriptions also refer to another class of pasture land under the name 'trinaytiti', which literally means a grassy plot of land as distinct from the common pasture land (gochara or govāṭa). It seems to imply either the grassy plot of land which partly formed the boundaries of a village or the cultivable fields lying fallow after the last harvest and serving as pasture temporarily.³

§ 3. The Public Pasture. During the Vedic age the pasture ground does not appear to have been

^{1.} Vivītašavdena triņakāshtha-samriddhah paraparigrihītah pradeša uchyate. Sm. Ch., II, p. 487.

^{2.} II, 274: Ghātite-pahrite dosho grāmabharttur-anirgate Vivīta-bharttus-tu pathi chauroddharttur-avītake.

^{3.} See my paper on the Land System in accordance with the Epigraphic Evidence etc. in the Ind. Ant., LI, pp. 74-75. Another meaning of trinayūti has been offered in the Journal of the Department of Letters (Calcutta University), 1927, Vol. XVI., Early History of Bengal, p. 42.

organised in any particularly definite way. In the Jātakas however we come across an indirect reference to an enclosed pasture. In the Dhumakari Jataka, for instance, we read: 'A Brahmana goatherd named Dümakari took a great flock of goats and, making a pen in the forest, kept them there." From the Arthasastra we learn that grounds were set apart and organised for pasturage of cattle. The pastures were under the supervision of a special officer named 'Vivītādhyaksha', that is, the Superintendent of the Pasture-land. Kautilya enjoins that an enclosed pasture with timber posts should be created around every village at a distance of one hundred 'dhanus'. The Manusambita contains a similar injunction and fixes, in addition, a space of three hundred 'dhanus' around a 'nagara's. According to Yājñavalkya the public pasture (parīņāha) should be one hundred dhanus in the case of a 'kharvata' (small town) and four hundred dhanus in the case of a nagara.4 According to the Puranas the village-pasture should be one hundred dhanus in space and those of the cities twice or thrice

^{1.} No. 413.

Arth., p. 172: Stambhais-samantato grāmād-dhanusatāpakrishṭam-upaśālam kārayet.

^{3.} VIII, 237,

II, 167 (Bombay edition): Dhanuḥ śatam parīṇāho grāmakshetrāntaram bhavet, dve śate kharvaṭasya syān-nagarasya chatuḥśatam.

^{5.} Matsya, Ch. CCVI, 25; Agni, Ch. CCVI, 19-20. (Calcutta edition).

The South Indian inscriptions also refer to the village pasture, but we are not told if they were fenced.

During the age of Kautilya the pasture grounds of certain types appear to have been the property of the king, and private owners of cattle were allowed to tend their cattle, probably on payment of a tax. Thus Kautilya enjoins the king to provide pasture grounds in the uncultivable tracts, apparently within the royal domain (Cf. vivīta) and in places which were free from danger.2 The king is also enjoined to appoint an official named 'vivītādhayaksha' (Superintendent of the Pasture) as well as a Superintendent of Cattle to take charge of the cattle belonging to the king as well as of those belonging to private owners.3 The ordinary village pastures outside the royal domain were probably the property of the community of the village although the superintendent of the pasture looked after them. Though Manu enjoins the king to set apart a pasture in every village and town,4 he does not direct him to fence it. The community of the village apparently looked after it. Manu however makes it clear that the owners of the cultivable fields had to protect their own fields by setting up stakes,

^{1.} SII., II, nos. 4, 5; III, no. 205.

^{2.} Arth, pp. 49; akrishyāyām bhūmau pasubhyo vivītāni prayachchhet and p. 141: bhayāntareshu cha vivītam athāpayet. Dr. Samasastri's rendering of bhayāntareshu as 'between two dangerous places' seems to me to be inaccurate.

^{3.} Arth., pp. 112, 140.

^{4.} VIII, 237.

so that the cattle grazing within the prescribed area of the pasture-land might not de any harm to their crops.1 Manu also defines the nature of the fencing that is to be done, and lays down that if the cattle break through this fencing, the keeper of the herds is not to be fined; the owners of the contiguous fields should rather pay a penalty.² Further, the cultivators of the fields had to be so particular about the fencing of their fields that in case of destruction of crops for their neglect, they had to pay ten times their actual dues to the king. Yajnavalkya enjoins: 'By the choice of the village or by the authority of the king. a land for the pasture ground for cattle should be kept'.4 He does not however lay down any hard and fast rule about the nature of the fencing that is to be done by the owners of the cultivable fields, but makes the keepers and owners of cattle responsible for any damage done to crops (rather than the owners of the fields). It is thus laid down: '(The master of) a female buffalo doing damage to the crop shall be fined eight māshas; (the master of) a cow half of that; and (the master of) a goat or ship half of that'. Again, 'there would be no trespass, if, without any intention on the part of the owner, the cattle stray by a road or in a

^{1.} VIII, 237-244.

^{2.} VIII, 238-239.

^{3.} VIII, 243. Cf. Matsya Purāna, CH. CCVII, 27. (Calcutta edition).

^{4.} II, 166: Grāmechchayā goprachāro bhūmirājavasena vā, Dvijas-triņaidhah pushpāņi sarvatah sarvadāharet.

^{5.} II, 162 (Calcutta edition). Cf. Mitāksharā.

field in the neighbourhood of the village 'vivita'; but in the case of a wilful trespass he deserves punishment like a thief.' According to Narada the owners of the cultivable tracts had to fence the lands, that were contiguous to the pasture, high road or the border of 'When a field is situate on the border of a a village. village or contiguous to a pasture ground or adjacent to a high road, the herdsman is not to be blamed for the destruction of grain in that field, if the field is not protected by a fence.' Vishpu thus lays down the law: 'There is no offence if the damage (of crop) has been near a high way, near a village or (in a field adjacent to) the 'vivīta' pasture ground for cattle. Or, in an unenclosed pasture ground." Vishnu here apparently refers to two kinds of pastures, namely, the enclosed vivīta which was private property, and the unenclosed vivita which was the common property of the village. It is also clear from this that the duty of fencing the fields contiguous to the pastures devolved on the individual owners of the fields. Both Vijnaneśvara and Devanabhatta recognise these facts and apparently indicate that the common pasture ground was not necessarily fenced, but rather, the fields near it had to be fenced by their owners. Commenting on Yajňavalkya (II, 166) quoted above, Vijňanesvara emphasises that due regard should be paid to the extent of

II, 165: Pathigrāmavivītānte kshetre dosho na vidyate, Akāmataḥ kāmachāre chauravad-daṇḍam-arhati.

XI, 40. Grāmopānte cha yat kshetram vivītānte mahāpathe Anāvrite chet-tan-nāśe na pālasya vyatikramaḥ.

^{3.} V, 147-148: Pathigrāmavivītānte na doshah anāvrite cha.

the land. With regard to fines for destruction of crops (Yājňavalkya, II, 162) the Mitāksharā lays down that 'the rule applies where the trespass has been without the knowledge (ajñāna-vishayam) of the owner: when however trespass is by design (jaanaparvam), the rule laid down in another Smriti should be observed, namely, 'Two quarters of a pana for a cow and double that for a female buffalo; similarly, for a goat, a sheep and calves a quarter has been laid down as the fine'. 'What however has been laid down by Nārada, 'For a trespass by a cow he should inflict a fine of one masha, for a mischief by a female buffalo two mashas; and in the case of a goat, a sheep, and calves the fine shall amount to half a masha,' has a reference to a crop, which had ripened into sprouts, and which has been eaten up, leaving only the roots." Vijnanesvara further adds that in every case the produce must be made good by the owner of the cattle alone, and the neighbours (samantah) are to determine the quantity of loss.3 Devanabhatta supports Manu, (VIII, 238-239) referred to above, and lays down that the owners of the cattle must make good the loss of the crop according to the determination of the neighbours.4 From a South Indian inscription we learn that there was a grazing tax, apparently for the use of the public pasture. A record of Kulottunga Chola-

^{1.} Mit., p. 111: Bhūmy-alpatva-mahatv-āpekshayā.

^{2.} Mit., p. 298 (tr.); P. 109 (orig).

^{3.} Ibid.

^{4.} Sm. Ch , II, 490-492.

deva, dated 1104 A. D., registers the grant of a Devadana and empowers certain persons to receive the tax on grazing, the tax on digging etc. As the grazing parts of a village were tax-free, so far as the central government was concerned, the tax referred to here must have been appropriated by the local bodies, either the village assembly or the temple.

As the public pasture was intended for the use of the community it was but natural that individuals were debarred from occupying any part of it for their personal use. Thus according to Manu it was indivisible. Vishnu also supports this. Devanabhatta is also of the same view.

§ 4. The Method of Fixing the Boundaries and their Classification. The boundaries discussed here are those of villages or of holdings within a village. During the Jataka period stones were one of the objects for marking out a boundary. According to Kauţilya, boundary-marks are to be denoted by rivers, mountains, jungles, bulbous plants, caves, embankments or ridges, or buildings and by trees such as silk-cotton, Samī and milky trees. Manu gives us an exhaustive list of artificial and natural boundary-marks, and further distinguishes between visible and invisible marks. Brihaspati gives

^{1.} EC., IV, 24.

^{2.} See Ch. III § 4.

^{3.} IX, 219.

^{4.} XVIII, 44: Yogakshemam prachārašcha na vibhājyancha pustakam.

^{5.} Sm. Ch., II, 643.

^{6.} Jat., IV, p. 178.

^{7.} Arth., p. 46: Nadī-śaila-vana-grishţi-darī-setuvandhaśālmalī-śamī-kshīra-vrikshānteshu sīmnām sthāpayet.

almost the same list. Thus among the visible signs are mentioned some varieties of creepers, thickets, mounds, wells, ponds, channels, temples, etc., and among the invisible marks are included stones, bones, chaff, ashes, cow-dung, bricks charcoal, sand, shingles etc.1 Yājñavalkya also gives us an exhaustive list and mentions, among other things, bridges, anthills, bones etc.3 Nārada gives us a similar list.3 Brihaspati thus indicates the method of depositing invisible marks in the boundaries: 'After having placed these substances in vessels, one should deposit them underground at the extremities of the boundary.'4 To keep these signs within the recollection of the villagers, Brihaspati lays down, 'one should take care to point them out to youths and infants. These should again show them to their own children, after having grown old."

1. Manu, VIII. 246-48: Sīmāvņikshāmscha kurvīta nyagrodhāsvatthakimsukān, sālmalīs-chhālatālāmscha kshīriņaschaiva pādapān. Gulmān veņumscha vividhān samīvallīsthalāni cha, sarān kavjaka-gulmāmscha tathā sīmā na nasyati. Tadāgānyudapānāni vāpyah prasravaņāni cha, sīmāsandhishu kāryāni devatāyatanāni cha. See also VIII. 250-251.

Bṛihaspati, XIX, 3-5: Vāpīkūpataṭākāni chaityārāmasurālayāḥ, sthalanimnanadīsrotaś-śara-gulmanagādayah. Prakāśa-chinhāny-etāni sīmāyām kārayet sadā, karīshāsthi-tushāngāra-śarkarāsma-kapālikāḥ. Sikateshṭaka-govāla-kārpāsāsthīni bhasma cha, prakshipya kumbheshvetāni sīmānteshu nidhāpayet. Quoted in Sm. Ch., II, 534.

- 2. II, 153-154 (Calcutta edition).
- 3. XI, 4-5
- 4. XIX, 6. (SBE., XXXIII, 351).
- 5. XIX, 6-7. (Ibid).

Devanabhatta supports Brihaspati's method of marking the boundaries and further calls our attention to a system of naming the boundaries. On the authority of Vyāsa he tells us that a boundary consisting of trees is called 'Dhvajini' (flag staffed) boundary; that consisting of pools a 'Matsyini' (full of fish) boundary; and that containing secret signs, such as, chaff, charcoal etc. a 'Naidhānī' (secret-containing) boundary.2 Vijnānesvara, in his Mitāksharā on Yājnavalkya (II, 150-151), defines a boundary as a 'line delimiting a field and the like,' and distinguishes between four kinds of boundaries, namely, the boundary of a country, the boundary of a village, the boundary of a field and the boundary of a house. On the basis of a text of Nārada he further tells us that the boundaries are 'Dhvajini', 'Matsyini', 'Naidhāni', 'Bhayavarjjitā', 'Rājaśāsananītā,' according as they are respectively marked by a flag, a fish-pond, a secret deposit, absence of disputes and the king's command.3 It will be noticed

^{1.} Sm. Ch. II, 534.

^{2.} Grāmayor-ubhayos-sīmni vņikshā yatra samunnatāḥ, Samuchchhritā dhvajākārā dhvajinī sā prakīrtitā. Svachchhandagā vahujalā matsya-kūrma-samānvitā. Nityapravāhinī yatra sīma sā matsyinī matā. Tushāṅgārakapālaistu kumbhair-āyatanais-tathā, Sīmā-prachinhitā kāryā naidhānī sā nigadyate. Quoted in Sm. Ch., II, 535-536.

Dhvajinī matsyinī chaiva naidhānī bhayavarjitā,
 Rājašāsananītā cha sīmā pañchavidhā smṛitā.
 Nārada quoted in Mit., p. 103.

that Vijnaneśvara, or rather Narada, adds two more varieties to Vyasa's three. Mitra Migra, in his Viramitrodaya, quotes both Vyāsa and Nārada to indicate these five kinds of boundaries. Vāchaspati Miśra in his Vivādaratnākara holds, on the authority of Vyāsa, that boundaries are of two kinds, namely, the Fixed boundary (sthitā) and the Movable boundary (chalā); the former are of five kinds, namely, the 'Nimna,' that is, one containing a depression; the Unnata, that is, one containing an elevated spot; the Dhvajini, that is, the flag-staffed; the Naidhani, that is, one containing a secret deposit; and the Rajakarita, that is, one fixed by the king. The latter kind of boundary (chala) is called 'Matsyini', that is, one containing fish.2 He further explains that a 'Nimna' boundary contains a depression, an Unnata reeds, mimosa, anthill, temple etc., a Dhvajinī losty trees shaped like slags, a Naidhānī a deposit of brick, charcoal, sand, bones, etc., and a Rājakāritā is fixed by the royal command in consequence of the failure of witnesses on both sides; a Matsyini boundary consists of deep and flowing waterpool, containing aquatic animals.3 The Vivadachintamani lays down, on the authority of Nārada (XI, 9-10), that 'no man however trustworthy or experienced he may be, should alone fix the boundaries. This

^{1.} Vir., p. 452.

Nimnonnatā cha dhvajinī naidhānī rājakāritā, athitā pañchavidhā sīmā matsyinī tu chalā jalasy-āsthiratvāt. pp. 215-216.

^{3.} Viv., pp. 215-216.

duty being a responsible one, ought to be performed by many.'1

The South Indian inscriptions record a curious custom of fixing the boundaries of the Brahmadeyaand Devadana lands. When the grant is made by the king it is carried out by making a female elephant to go round the boundaries of the land alienated. This ceremony is known as 'Karini-bhramana' (that is, the circumambulation of an elephant). We have already referred to this ceremony in Chapter VI, § 2. It is to be noted in this connection that the boundaries were fixed by several people as indicated by the Vivadachintamani. Thus, according to a South Indian inscription the representatives of the district, in which the Devadana was situated, were present during the ceremony and performed the duties of fixing the boundaries of the granted land. Thus records the inscription: 'We, the representatives of the several districts, received the royal order with the wording 'you too be present with these (two or three royal officers), point out the boundaries, walk round the hamlets accompanied by the female elephant, have the (boundary) stones and milk-bush planted and the deed drawn up.,2

§ 5. Settlement of Boundary-disputes. As to the settlement of the boundary disputes between two villages, an important distinction seems to be

^{1.} Viv. ch., p. 121.

^{2.} SII., III, no. 205.

made by Kautilya, Yājñavalkya, Nārada and Brihaspati on the one hand, and Manu on the other. According to the former authorities the right of decision on boundary disputes belongs to the inhabitants of the locality concerned, or rather to the communities of the villages concerned. The king interferes only in exceptional cases, such as, when the villagers themselves fail to decide any case. Says Kautilya, 'The neighbours or elders of five or ten villages shall investigate the case of boundary disputes (between two villages) on the evidence of natural or artificial marks." The disputes concerning the cultivable fields should, according to him, be similarly decided; if this fails, decision is to be sought for from pure and respectable people. If these two methods fail, the king takes away the 'vāstu' (disputed property).2 According to Yājñavalkya, in disputes relating to the cultivable fields, persons residing in the neighbouring villages, aged men and other competent persons, cowherds, persons cultivating boundary lands and all persons living on the forest-produce should decide. The Agnipurana supports the injunction of Yājnavalkya. Nārada's injunctions are also of similar nature and include among the judges neighbours, inhabitants of the same town or village, the members of the same community, the senior inhabitants of the district, persons living outside

^{1.} Arth., p. 168.

^{2.} Ibid., 169.

^{3.} II, 153.

^{4.} Ch. CCLVI, 1.

on the outskirts of the villages, persons living by tillage of fields situated in the land under dispute, herdsmen, bird-catchers, hunters and other inhabitants of woods.1 Nārada further says: 'Should there be no persons conversant (with the true state of the question) and no boundary marks, then the king himself shall fix the boundary between the two estates, as he thinks best.2 Brihaspati appears to have been for a more democratic principle in this direction. The king is not even mentioned as the final authority in such matters, and the right of decision is extended to a larger body including even such characters as robbers. 'In disputes regarding a house or field the decision belongs to the neighbours as well as to the inhabitants of that town or village or to the members of the same society, and to the elders of that district. (Likewise to) husbandmen, artisans, servants, cowherds, hunters, gleaners, diggers of roots, fishermen, kinsmen, mischiefmakers and robbers.'3 It is really interesting to note that the mischief makers and robbers could be utilised by society for the purpose of justice. By mischiefmakers and robbers are probably meant the criminal tribes. The very nature of their occupation made

^{1.} XI, 2-3. (SBE., XXXIII, 155-156).

^{2.} XI, 11, (SBE., XXXIII, 157).

^{3.} XIX, 8-9: Gṛihakṣhetravivādeshu sāmantebhyo vinirṇayaḥ, nagaragrāmagaṇino ye cha vṛiddhatamā narāḥ; Kīnāś-śilpibhritakā gopavyādhoñchhajīvinaḥ, mūlakhānakakaivarttakulyā bhedakavādhakāḥ. Quoted in Viv., p. 209.

them well-acquainted with the nooks and corners of every village. The diggers of roots were expected to know the boundary trees, and fishermen the boundary pools and ditches.1 The hunters would be able to know the demarcation between the forests and other tracts of land. Similarly, husbandmen and gleaners would know about the cultivable tracts. But it is difficult to see how the artisans, servants and kinsmen any effective would render service in this direction, except under exceptional circumstan-Agricultural might, servants however. be of some use.

According to Manu the king is the sole arbiter in boundary disputes, but he may take the evidence of witnesses and of other persons referred to above, where it is difficult to decide. Manu mentions milkmen, beggars and snake-catchers among the people who could give evidence in boundary-disputes. Devanabhatta supports Manu and takes the hunters (vanagocharān), as referred to in Manu, as implying uncivilised peoples (asabhyān). He further points out that these uncivilised peoples are to be called in only when there is no cultivator (tilling the boundary soil) to give evidence. On the authority of Kātyāyana he goes on to say that, in disputes concerning the

^{1.} See Viv., p. 209; Vir., p. 458; Viv. Ch., pp. 121-122.

^{2.} VIII, 253-260.

^{3.} Sm. Ch., II, 537.

^{4.} Ibid., II, 540.

^{5.} Ibid., II, 541.

boundaries of fields, gardens, temples, ponds etc., the people living close by these should bear witness.1 Generally speaking the commentators, following the principle of Manu make the king the sole arbiter in boundary-disputes and ignore the democratic principle laid down by Kautilya, Yājñavalkya, Nārada and Brihaspati. They make the people of the neighbouring villages and others witnesses instead af judges. Thus Vijnaneśvara interprets Yajnavalkya's 'nayeyuh' (shall determine)² as 'shall point out the boundary as witness.3 Devanabhatta is also of the same opinion. The Vīramitrodaya follows in the wake of Vijnanesvara. The Vivada-ratnakara similarly upholds the right of the king and makes the neighbours and others as witnesses. The Vivada-chintamani is of the same view. The evidence of the South Indian inscriptions is not very decisive. According to two Pandya inscriptions a dispute about the ownership of a boundary tract having arisen between the villages, Poliytr and Śrīvallabha-chaturvedimangalam, an individual named Śendalangāradāsar is said to have settled it on the

^{1.} Ibid., II, 546.

II. 152: Sāmantā vā samagrāmās chatvāroshţau dasāpi vā Rakta-sragvasanāḥ sīmām nayeyuḥ kshitidhāriṇaḥ.

^{3.} Nayeyuh pradarsayeyuh, sāmantā veti vikalpābhidhānam smrityantarokta sākshyabhiprāyam...Mit., p. 105.

^{4.} Sm. Ch., II, 537-546.

^{5.} Pp. 451-462.

^{6.} P. 204.

^{7.} P. 120.

strength of an old document. He does not appear to have been a royal official.

§ 6. The Rights regarding the Boundary-tracts and the Produce there. The village-boundaries were no body's property. The community of the village and the king apparently looked after the maintenance of their integrity. Says Kautilya, 'Encroachment upon boundaries shall be punished with the first amercement. Destruction of boundaries shall be punished with twenty-four paṇas.' The boundaries were regarded as common property like the pastureland, hermitages in forests, highways etc. The injunction of Yājnavalkya is like that of Kautilya. The South Indian inscriptions also regard them as common property and as such tax-free.

The boundaries of separate holdings within a village appear to have been regarded as private property. Kautilya's reference to land having no boundary-mark, which the king is enjoined to distribute beneficially among others (apparently disputants), seems to relate to such private lands, for, as pointed out already, the village-boundaries could not be appro-

MER., 1916-17, p. 26, nos. 400 and 402. See also MER., 1921-22, p. 36 (no. 416).

^{2.} Arth., p. 169.

^{3.} Ibid.

^{4.} II, 158:

^{5.} Cf. SII, nos. 4, 5.

Arth., p. 169: Praņashţa-svāmikam cha yathopakāram vā vibhajet.

priated by any body. According to Nārada, 'when trees have grown on the boundary (or ridges) separating two contiguous fields, the fruits and blossoms shall be assigned to the owners of the two fields in common." Devanabhatta supports this rule on the strength of an analogous text from Kātyāyana.2 Vīramitrodaya, relying on a text of Katyayana, says that when a tree, having grown in one field, spreads its branches over another, the ownership of it goes with the owner of the latter field. Yājñavalkya records two exceptional cases in which the right of a private individual over his boundary is held in abeyance, namely, in the construction of an embankment or bridge by a neighbour, and in the sinking of a well, the reason shown being that these beneficial works serve more useful purposes than they do injury to the owner of the boundary. Vivadaratnākara supports this by quoting an analogous injunction from Nārada.⁶ But permission for this encroachment has to be obtained from the owner of the land, otherwise the resulting benefit goes to the owner of the land and in his absence to the king."

2. Sm. Ch., II, p. 555.

4. Vir., p. 467.

^{1.} Nar., XI, 13.

^{3.} Anyakshetre tu jātānām sākhā yatrānya samsthitāh, svāminam tam vijānīyād yasya kshetrasya samsritāh.

II, 159: Na nisedhyo-lpavadhas-tu setuh kalyanakarakah, Parabhumim haran kupah svalpakshetro vahudakah.

^{6.} P. 224.

II, 160: Svāmine yo-nivedy-aiva kshetre setum pravartayet. Utpanne svāmine bhogas-tad abhāve mahīpateḥ.

CHAPTER IX.

THE FOREST TRACTS, MINES AND ACCRETIONS FORMED BY RIVERS.

So far as our period is concerned, we have very little direct evidence bearing on the forest tracts, mines and accretions formed by rivers. These subjects can only be fruitfully studied in the light of the historical background.

§ 1. The Forest-tracts during the Vedic Age. The forest tracts including the waste lands (aranyānī) were of great economic value to the Aryas of the Vedic period. In the first place, they served as natural pastures.1 Secondly, they were utilised as burial places and probably also as cremation grounds.2 Thirdly, the produce of the forest tracts supplied beyond doubt an essential part of the economic needs of the community. They provided the householder with the materials for the construction of houses, chariots, sacrificial implements; and the like. Above all, they were a constant source of fuel for the community. Every householder of the Vedicage in this way appears to have exercised what is known as the Right of Common or Estover over the woods and the forests. Though this right was later on much circumscribed by the establishment of a highly centralised govern-

^{1.} Rv., X, 146, 3. Cf. RV., IV, 1, 15.

^{2.} RV., X, 18, 4. 10. 12.

^{3.} Cf. RV., X, 146, 4. 5.

ment, such as, under Chandragupta Maurya, the Brahmanas or the learned nevertheless exercised the right of collecting fuel and other materials for religious purposes throughout ages. The Varana Jataka, for example, tells us that five hundred pupils of a teacher of Takshasila 'set out for the forest to gather firewood for their master and busied themselves in gathering sticks." The Agni Purana lays down that a Brahmana exercises everywhere the right of collecting grass, fuel and flowers.2 Yājñavalkya is also of the same view.3 Fourthly, a hymn of the Rig-veda makes it apparent that certain classes of people used to live in the forest-tracts.4 These classes included those who had taken to the third and fourth stages (vānaprastha and sanyāsa) of life. It is well-known that the Aranyaka part of the Vedic literature was required to be read in the forests.

§ 2. The Economic uses of the Forest-tracts in Later Times. During the subsequent period the forest-tracts were made use of in a much more variety of ways than in the Vedic age. In the first place, the forest tracts continued as in the Vedic age, to serve the purpose of natural pastures. Thus we are told: 'The Bodhisattva had a herdsman who, when the corn was growing thick, drove his cows to the forest and kept them there at a shieling.' From the

^{1.} No. 71.

^{2.} Ch. CCLVII, 17.

^{3.} II, 169: Dvijas-triņedhahpushpāņi sarvatah samupāharet.

^{4.} RV., X, 146, 4 (vasannaranyānām).

^{5.} Visvāsabhanjana Jātaka (no. 93). See also Sandhiveda Jātaka (no. 349).

Santi Parvan also, we learn that the forest tracts were inhabited by the cattle keepers (gomin). Secondly, some of the forest-tracts supplied wild-rice. According to the Kumbha Jataka self-sov n paddy was to be found in the Himalayan regions.2 Yājñayalkya probably refers to this wild rice when he speaks of the produce of the unfurrowed land (aphālakrishţam). The produce of the 'Kumari' cultivation referred to in a South Indian inscription,4 was to some extent of this nature. In the third place, these tracts were the sources of a perennial supply of medicinal herbs and plants as well as of fuel and other objects of daily need. The Arthasastra lays down that the Kupyadhyaksha (Superintendent of the Forest Produce) should carry on, either inside or outside the capital city, the manufacture of all kinds of articles necessary for life or for the defence of forts. He should also collect different kinds of timber, bamboo, creepers. fibrous plants, leaves (such as palm, bhurija, tālī etc.), flowers (such as kimśuka, kusumbha etc.), medicinal roots and fruits, skins, charcoal, bran, ashes, metals etc. The Santi Parvan also refers to these forest products.4 In the fifth place, the forest tracts served as habitations for certain classes of people. According to the Panchupasatha Jataka people who

^{1.} Ch. LXXXVII, 34-40 (Calcutta Edition).

^{2.} No. 512.

^{3.} III, 46: Aphālakrishte nāgnīmscha pitridevātithīmstathā, Bhrityāmstu tarpayet smasrujatālomabhrid ātmavān.

^{4.} EC., X, pp. 86-87. See Ch. VII § 6.

^{5.} Book II, Ch. XVII, (tr.). p. 100 (original).

^{6.} Ch. CLXX (Calcutta edition).

had curbed their worldly desires, inhabited these regions. The Jatakas further tell us that the forests were the haunts of robbers and of a class of people called the Ataviyas. The A aviyas appear to be the people who were fully acquainted with the forest-paths and used to hire themselves as guides to caravans. According to the Jayaddisa Jataka 'a Brahmana at the head of a caravan gave a thousand pieces of money to the warders of the forest and was journeying along the road with five hundred wagons.'8 In the Sutra period we notice that different classes of hermits used to live in the woods.4 In the Arthuśastra there is a reference to 'atavi', which is meant to imply forest tracts. These tracts were evidently inhabited by the class of people referred to above. The Greek traveller Megasthenes also noticed the habitations of certain tribes like the Scyritae (kirātas), the Astomi (Atavi? or Ashtamas?) etc. in the forest tracts. Asoka's Rock Edict No. XIII refers to the kind treatment of the monarch towards these inhabitants of the forest tracts (atavi). In the Santi Parvan we come across a reference to a

^{1.} No. 490.

^{2.} Khurappa Jataka (no. 265).

^{3.} No. 513.

Baudhāyana, III, 3 (SBE., XIV, p. 291 ff.); Apastamba,
 II, 9, 13 (SBE., II p. 123); Gautama, III, 2 (SBE., II, p. 192).

^{5.} P. 49: Dravyavana karmantanatavīšcha dravyavanāpāšrayāḥ pratyante hastivanamatavyā rakshan nivešayet.

^{6.} Mc. Fr., XXX.

people known as the 'outside people' (Vahyam janam), which is explained by Nīlakantha, the commentator, as 'āṭavikas' and commonwealth of Dasyus (lit. robbers) or non-aryans.1 Elsewhere, the Dusyus are referred to as having occupied the forest tracts and organised village-systems (Cf. dasyugrāma). Manu also refers to such inhabitants of the forest regions as trappers, In the days fowlers, herb-collectors, cowherds etc.3 of Hiuen Tsang the forests near Kusinagara were infested by robbers and hunters.4 The Kamandaki also refers to the Atavikas and thieves as living in the forest tracts. The Sukraniti speaks of the Kirātas and other people living in the forests. Some of these people, who seem to have formed themselves into military commonwealths, were employed by kings for military purposes.8 So far as the history of the South is concerned, we learn that in the first or the second

^{1.} LXXXVII, 25: Vāhyam janam bhedayitvā bhoktavyo madbyamaḥ sukham, Evam nāsya prakupyanti janāḥ sukhitaduhkhitā.

Nīlakaṇṭha:...vāhyaṁ janaṁ, āṭaviko dasyusaṅgho vāhyajanam.....

^{2.} Ch. CLXVIII, 36. 37. 41. (Calcutta edition).

^{3.} VIII, 259-260.

^{4.} Watters, II, p. 25.

^{5.} Ch. VII, 51.

^{6.} Ch. IV § 7, 13.

^{7.} Cf. Ch. IV § 7, 12-13.

^{8.} Ch. I, 256.

century A. D. Karikāla, the earliest of the Chola king, is said to have destroyed the forests in the Chola country and made them into habitable grounds.1 An inscription from Srevana Belgola dated 973 A. D. tells us that the Kirātas lived in the Vindhyas.2 A Hoysala inscription dated 1117 A. D. refers to the Todas as having been the inhabitants of the Nilgiris.3 Another Hoysala inscription dated 1183 A. D. records that a Brahmana (apparently with the permission of the king)' 'cut down the forest,' built a tank and established a village.4 From another Hoysala record dated 1186 A. D., we learn that a minister, after having cleared a forest, established a town and constructed four tanks. He then made a gift of them as an 'agrahāra'. Lastly, some of the forest tracts were extremely valuable for their supply of elephants. The earliest reference to elephantforests is probably in the Mahavagga. The Majjhima Nikāya also refers to elephant-preserves (nāgavana). The Arthasastra advocates a systematic organisation of the elephant forests.* Asoka's Pillar Edict No. V makes it clear that that monarch maintained an elephantpreserve (nagavana). According to Hiuen-Tsang the forests near Kusinagar supplied wild oxen as well as

^{1.} Ind. Ant., XLI, p. 149.

^{2.} EC., II, p. 119.

^{3.} EC., IV, p. 10.

^{4.} EC., V, 91.

^{5.} EC., V, 102.

^{6.} X, 3, 1: (mātangaranna).

^{7.} See EI., II, p. 265.

^{8.} P. 49.

elephants.¹ In the Harsha-Charita too the elephantpreserves are mentioned.² From an inscription of Kulottunga-Choladeva dated about 1038 A. D. we learn that the Sahya mountain was one of the places where elephants were captured.⁸

§ 3. The Organisation of the Forest-tracts. During the Mauryan age the forest tracts were classified according as they were valuable for timber, elephants, Soma plants and other products of the forest. Thus Kautilya enjoins the king to utilise the lands unfit for cultivation as elephant-forests and Somaforests.

The king is further enjoined to make the Somaforests free of danger and to create the elephant-forests
in the extreme limits of the kingdom. It is also prescribed as the duty of the king to create a game-forest,
which should be 'provided with one entrance, rendered inaccessible by the construction of ditches all around,
with plantations of delicious fruit-trees, bushes, bowers
and thornless trees, with an expansive lake full of
harmless animals, and with tigers, beasts of prey, male
and female elephants, young elephants and bisons.....
all deprived of their claws and teeth.' As such a game
forest is meant for the king, Kautilya enjoins the king to
create another game-forest for the public in the extreme
limits of the country or in any other suitable locality.

^{1.} Watters, II, 25.

^{2.} See El., II, p. 265.

^{3.} EC., X, p. 81. Cf Manasollasa, p. 45.

^{4.} Arth., p. 49 (Dr. Sastri's translation has been followed).

^{5.} Ibid.,

According to the Nītisāra of Kāmandaka the king should settle in a place having an elephant-forest.1 Kāmandaka also enjoins the king to create a game-forest similar to that described by Kautilya. It is to be at the foot of hills and on the extremity of the cities, and it is to contain among other things ditches, pools, fortifications, paths, pasturage bereft of poisonous and thorny plants, level lands etc.2 It was also considered necessary to have these hunting grounds eight miles distant from the city and four miles from the villages. Sukra enjoins the king to construct royal roads in the forest tracts evidently for transport facilities.4 Mānasollāsa, a work attributed to the reign of Somesvara III (1126-1138) refers to the organisation of certain forests for capturing elephants and collecting tusks.5

§ 4. Administration of the Forest tracts. During the Mauryan period the general administration of the forest tracts with special reference to their financial utility appears to have been in charge of the Samāhartā. Kauṭilya defines the income from the forest-tracts (vanam) as consisting of the income from the gameforests, produce-forests (for example, timber) and ele-

^{.1} Ch. VII, 50.

^{2.} Ch. XXIII, 29-33.

See Journal of the Bihar and Orissa Research Society, II,
 pt. 2 (House-building and Sanitation in Ancient India).

^{4.} Ch. I, 264.

^{5.} P. 45.

^{6.} Arth., p. 59: Samāhartā durgam vanam vrajam vaņikpatham chāveksheta.

phant-forests.1 Subordinate to the Samaharta, so far as financial matters were concerned, were probably two officials, namely, the Kupyadhyaksha (Superintendent of the Forest Produce) and the Nagavanadhyksha (Superintendent of the Elephant-forests), both of whom had the real executive charge of the forests. The main duties of the Kupyādhyaksha were to collect timber and other products of the forest with the assistance of the Guards of Forests (Dravya-vanapāla), and to start productive works in the forests.2 The Nagavanādhyaksha was apparently a special officer in charge of the elephant-forests. He was assisted in his duties by the guards of the elephant forests (Nāgavanapāla). Their duties were to maintain the upkeep of the forest tracts, to keep information of all passages for entrances and exits of elephants and to catch them. The Arthasastra thus describes their duties: 'Guards of elephantforests, assisted by those who rear elephants, those who chain the legs of elephants, those who guard the boundaries, those who live in forests, as well as by those who nurse elephants, shall, with the help of five or seven female elephants help in tethering wild ones, trace the whereabouts of herds of elephants by following the course of urine and dung left by elephants and along forest-tracts covered with branches of Bhallataki (Semicarpus Anacardium), and by observing the spots where elephants slept or sat before or left dungs or where they had just destroyed the banks of rivers or lakes. They shall also precisely

Ibid: Paśumriga-dravya-hastivana parigraho vanam. (p. 60).

^{2.} Arth., p. 99 ff.

ascertain whether any mark is due to the movements of elephants in herds, of an elephant roaming single, of a stray elephant, of a leader of herds, of a tusker, of a rogue elephant, of an elephant in rut, of a young elephant, or of an elephant that has escaped from the cage. Megasthenes also refers to these guards of elephant-forests. The above-named officials were assisted in their duties by a class of people called 'Lubdhaka' (lit. hunters), whose functions were to keep watch over the forest-tracts and specially over the elephant forests and timber-forests, with special reference to the enemy-movements, detection of thieves, safety of mercantile traffic, protection of cows, keeping the roads in good repair etc. 3

This system of forest administration appears to have been carried on in later times as well, but it is doubtful if the organisation was as complete as during the Mauryan period. The later literature does not much refer to this subject, and we have to be satisfied with casual notices only. The official in charge of the elephants and the forest-tracts is thus referred to in the Vishņu Samhitā: 'Let the king appoint able officials for the working of his mines, for the levying of taxes and of the fares to be paid at ferries, and for his elephants and forests.' From the Sukranīti it appears that the Sumantra was the highest of the officials in charge of the forest tracts. Among his other duties

^{1.} Arth., p. 50 (Tr. Bk. II, Ch. II).

^{2.} Mc. Fr. XXXVI, XXXVII.

^{3.} Arth., p. 141. (tr., Bk II, ch. 34).

^{4.} III, 16. (SBE.. VII. 15).

he was required to keep statistics of the forest-tracts and an account of the revenues accruing from them.1 Another official named 'Ārāmādhipati' (superintendent of the gardens) whose duties were to plant and cure trees by administering proper manure and water at suitable times and to recognise their medicinal properties, also appears to have assisted in the upkeep of the forest-tracts under royal occupation. Sukra in this connection tells us that good trees should be planted at a distance of twenty cubits from one another, the middling at a distance of fifteen cubits, the ordinary ones at a distance of ten cubits and the worst at a distance of five cubits. Sukra also gives us a long list of trees that should be thus planted.4 It also appears that the department in charge of the forest tracts had to construct suitable roads in those regions. Thus we are told that in a forest of six yojana (that is forty eight miles) the best royal road (rajamarga) is to be constructed in the middle. Among his other collections the king should, according to Sukra, take one-third, one-fifth, one-seventh, one-tenth or onetwentieth from the collectors of grasses and timbers.

^{1.} Ch. II, 101-104.

^{2.} Ch. II, 158.

^{3.} Ch. IV § 4, 44-45.

^{4.} Ch. IV § 4, 46-49.

^{5.} Ch. I, 268-269 and Ch. I, 264.

^{6.} Cb. IV § 2, 116-117.

§ 5. The Forest Laws and the Forest Courts.

The care bestowed by kings on the forest-tracts necessarily involved the existence of a system of forest laws and forest courts. Thus we are told in the Arthasastra that for destroying the forest produce except in times of calamities.....when people were apparently allowed the unlimited right of using the forest preserves.....fines were levied. For destroying an elephant in the elephant-forest capital punishment was imposed.* According to the Agni Purana the destroyer offorests was to be burnt alive. For the administration of these laws the ordinary courts of law probably constituted themselves into special forest courts and conducted themselves in accordance with certain specified rules. Thus says Brihaspati, 'For persons roaming the forest a court should be held in the forest.' Such local courts were apparently created to facilitate the administration of justice among the residents of the far off places. Sukra lays down: 'The Foresters are to be tried with the help of foresters, merchants by merchants, soldiers by soldiers and in the village, (affairs are to be admi-

Arth., p. 99: Dravya-vanachchhidam cha deyamatyayam cha sthāpayedanyatrāpadbhayaḥ.

^{2.} Arth., p. 50: Hastighätinam hanyuh.

Ch. CCXXIX, 62-63: Kshetra-veźma-grāma-vana-vidārakas-tathā narāḥ. Rājapatnyabhigāmī cha dagdhavyāstu kalāgninā.

^{4.} I, 25 (SBE., XXXIII, 281): Ye chāraṇyacharās teshāmaraṇye karaṇam bhavet, senāyām sainikānām tu sārtheshu vaṇijām tathā (Karaṇam, a law-court.) Quoted in Vyavahāramayūkha, p. 3 (Mandlik's edition.)

nistered) by persons who live with both parties.¹² According to the Mānasollāsa (p. 45) death was the penalty for killing an elephant in the forest.

§ 6. The Epigraphic Evidence on the Ownership of the Forest-tracts. From a North Indian inscription it appears that the king in the North exercised the right of ownership with regard to the forest-tracts. Thus the Tippera Copper plate inscription of Lokanātha, dated abont 650 A. D., records a grant of land by the king in a forest region (atavī-bhūkhanda) as an 'agrahara'. Some of the South Indian inscriptions, on the other hand, seem to show that the village community in the South exercised the right of enjoyment and disposal of these tracts. Thus a Chola record tells us that the assembly of Śri-vikramābharana-chaturvedimangalam made a gift of 'half a measure of land in the fresh clearing (pudu ttiruttu) to a god.'3 A Pandya inscription dated 1207 A. D. records that, on a petition being made by an individual for a gift of land to a certain god, the village assembly of Parantaka-chaturvedimangalam made over as gift a piece of waste land, after having dug a tank in it and cleared the forests around it.4 A Hoysala inscription dated about 1133 A. D. registers the grant of a firest tract by a

Ch LV § 5, 23: Āraņyāstu svakaiḥ kuryuḥ sārthikāḥ sārthikaiḥ saha, Sainikāḥ sainikaireva grāme-py-ubhayavāsibhiḥ.

^{2.} EI., XV, p. 311.

^{3.} SII., III, no. 11.

^{4.} MER., 1922-23, p. 109.

minister, but it does not state from whom the minister had bought this piece of land. Similarly, an inscription from the Belur Taluq dated 1177 A. D. registers the grant of a Devadana by a minister out of a forest clearing. The right of enjoyment and disposal of the forest tracts, exercised by the village community, was probably limited to those tracts which were not inhabited and were contiguous to the villages. There were, however, tracts which were inhabited by the hill-tribes who, as pointed out already, carried on the 'kumari' cultivation and paid taxes to the government for it. This gives rise to a presumption that the inhabited parts of the forest-regions were under the control of the king.

§ 7. Mines. Referring to the mineral wealth of India Megasthenes remarks: 'And while the soil bears on its surface all kinds of fruits.......it has also underground numerous veins of all sorts of metals, for, it contains much gold and silver, and copper and iron in no small quantity, and even tin and other metals, which are employed in making articles of use and ornament, as well as the implements and accoutrements of war.' From a very early time mines appear to have been regarded as state-property, and the Sastras enjoin the king to organise the working of the mines and appoint suitable officials for the purpose.

^{1.} EC., IV, p. 64.

^{2.} EC., V, p. 67.

^{3.} See Ch. VII § 6.

^{4.} Mc. Fr., I.

Kautilya lays down that the Superintendent of Mines should look after the details of mine-management, along with other officials, especially the Superintendent of the Mint.¹ The Santi Parvan directs the king to appoint officials, who were related to him, to look after the gold-mines.² Manu's injunction is also to the same effect.³ The Vishņu Samhitā advises the king to take the whole produce of mines,⁴ and to appoint able officials for the working of his mines.⁵

Strict laws were enacted for keeping the mines free from spoliation by private individuals. Thus says Kautilya: 'Any person who steals minerals or carries on mining operations without license, shall be bound (with chains) and caused to work.' The mines, which were useful for manufacturing vessels and utensils of daily use, and which required big outlay of capital, were leased out to enterprising private individuals. The state retained those mines which required small outlay of capital. The Superintendent of Metals supervised the government manufacture of metal goods. From the leased out mines and the manufacturing

^{1.} Arth., pp. 81-85.

^{2.} Ch. LXIX (Calcutta Edn.). Ch. LXVIII (Bombay Edn.)

^{3.} VII, 62.

^{4.} III, 55: Ākarebhyaḥ sarvamādadyāt. (SBE., VII, 19.)

^{5.} III, 16 (SBE., VII, 15).

^{6.} Arth., p. 83.

^{7.} Ibid., p. 84.

^{8.} Ibid.

^{9.} Ibid.

industries the state realised the following ten kinds of revenue:

Mülya, that is, the value of the article,

Vibhāga, share of the output,

Vyāji, *premium of 5%,

Parigha, testing charge of coins,

Atyaya, fine previously announced,

Sulka, toll,

Vaidharaņa, compensation for loss entailed on

the king's commerce,

Danda, fines to be determined in proportion

to the gravity of crimes,

Rūpa, coinage,

Rūpika, premium of 8%1

These ten kinds of revenue were not realised from the same mine, but from different kinds of mines and manufactured goods. Thus, for example, mulya and vibhaga were realised from salt-mines and manufactured salt; vyāji, rūpa, parigha and rūpika from the manufacture of coins; and vaidharana from the traders carrying on commerce in the king's merchandise at a loss. Danda and atyaya are thus explained: 'Fines previously announced are called atyaya while fines determined then and there are termed danda.' These were apparently levied in cases of illicit use of the mines. According to Manu the king was entitled to one-fiftieth part of

^{1.} Ibid., p. 85 (tr., p. 100.)

^{2.} Ibid., p. 84 (tr., p. 99.)

^{3.} Ibid (tr.), p. 100, note.

the profits accruing from trade in gold, silver etc.¹ The Śukranīti enjoins that the king should realise half, one-third, one-fourth, and one-sixth respectively from gold, silver, copper, zinc and iron mines.²

The epigraphic records seem to show that the king generally exercised the right of ownership of mines. Thus when a Brahmadeya or Devadana grant is made by a king, it is specifically stated that the mines either continue to belong to the king or are made over to the donee. A Hoysala inscription dated 1279 A. D. refers to a Superintendent of the state mines (akara-mandalika), which suggests the probability of the mines being worked up by the state officials.

§ 8. Accretions formed by rivers. The rules regarding the accretions formed by rivers are laid down by Brihaspati and are supported by Devanabhatta. These may be thus summarised: the land abandoned by a river belongs to him who receives it. When the encroachment of a river on one side produces an increase of land elsewhere in banks of rivers, that increase must not be taken from him who gets it. According to Devanabhatta this rule has reference to

I. VII, 130.

^{2.} Ch. IV § 2, 118.

^{3.} See Ch. VI §§ 3, 4.

^{4.} EC., V, p. 99.

^{5.} XIX, 17.

XIX, 20: Ekatra külapātantu bhūmeranyatra samsthitim, Nadītīre prakurute tasya tām na vichālayet.

land not yet cultivated. When land is carried away by the swift course of a river overflowing a tilled piece of ground, the previous owner shall recover it. The Viramitrodaya comments that 'such a tilled piece of land shall not be made over to the previous owner till the harvest is over. When the harvest is over the previous rule (Bṛihaspati, XIX, 20) holds good. Devaṇabhaṭṭa also supports this interpretation.

An inscription of Maravarman Sundara-Pandya I records the settlement of a dispute between an individual and the authorities of a temple, regarding the ownership of a river. It was decided that after irrigating a certain field, one half of the income from fishing in the river should be made over to the temple authorities, while the other half was to be retained by the individual. Another South Indian inscription tells us that a river having caused certain damages, the king's representatives as well as the village assembly met to decide on the steps to be taken. This inscription thus shows the joint responsibility of the king and the village assembly in matters arising from the action of rivers.

^{1.} Anuptasasyatīravishayam (Sm. Ch., II, 549).

^{2.} XIX, 21: Kshetram sasasyamullanghya bhūmichchhinnā yadā bhavet,

Nadisrotah pravahena purvasvāmi labhet tām.

^{3.} Vir. quoted in SBE., XXXIII, 353 note.

^{4.} Sm. Ch., II, 549.

^{5.} MER., 1914-15, p. 102.

^{6.} SII., III, no. 156.

CHAPTER X.

LAND REVENUE ADMINISTRATION.

Apart from the general administrative arrangements there seems to have been no special organisation of land for purposes of revenue in ancient India. is true that the Arthasastra and the Sukraniti refer to a fiscal classification of the villages.1 but this classification was probably maintained only in the entries of the revenue-records. The local officials, who carried on the civil, judicial and military administration, appear also to have carried on the work of collecting the revenue. The central government however maintained a separate department for the revenue administration and had in some cases a body of officials, who cooperated with the local bodies in this respect. Broadly speaking, the revenues of the state accrued from the four main divisions of land, namely, the habitat, the cultivable tracts, the waste lands and the forest tracts including mines, waters etc. We have already referred to some of the taxes that were realised from these parts as well as to the smallest administrative unitthe village or rather the village assembly that was responsible for realising the revenues of the state.2 In this chapter we shall speak of the organisation of land above the village, with special reference to the land revenue administration. Before passing on to our period, it would be interesting for us to note what prevailed in earlier times.

^{1.} See Ch. II §§ 2, 4. 2. See Ch. III § 8.

§ 1. The Periods of the Rig-Veda, the Jatakas and the Sutra Literature. In the Rig-veda we come across the words, grāma (village), viś (lit. commonalty) and jana (nation or nation-territory) which may be taken to imply some sort of administrative arrangements, such as, a number of villages constituting a viś and a number of viś composing a jana. there is no definite evidence to show that these were thus connected and, far less, that this organisation had any revenue basis.1 In the Jataka period Northern India was divided into sixteen independent states.2 Some of these states were organised into provinces under viceroys, and the provinces into districts (janapada) and villages. Thus the Kāma Jātaka tells us that a prince, having at first no desire to rule his kingdom, left it, but later on became greedy and won over a village. Then he wanted to have the janapada and the viceroyalty (uparajjam) as well.3 The Mahasupina Jātaka also refers to kingdom (rattha), district (janapada) and village (grāma) in successive order. The revenue especially from the distant or border villages was collected by a minister (amachcha).⁵ According to the Apastamba Dharma Sūtra the king should "appoint men of the first three castes who are pure

^{1.} See Ved. Ind., II, 306.

^{2.} Buddhist India (Rhys Davids), p. 23.

^{3.} Vol. IV, p. 169 (tr. IV, p. 106).

^{4.} Vol. I, p. 340.

^{5.} Kharassara Jataka (I, p. 354-5).

and truthful over villages and towns......(and) shall make them collect the lawful taxes.'1

§ 2. The period of Kautilya and Megasthenes. The Arthasastra gives us an elaborate account of the territorial organisation for the collection of revenue. A Gopa or circle officer was in charge of a number of villages, usually from five to ten in number. His duties were to classify the village-lands into different groups for the purpose of taxation, to register gifts, sales, charities and remission of taxes regarding fields, and to keep a record of the number of houses that paid taxes and that did not, the number of inhabitants of the four castes of a village as well as of the cultivators, cowherds, merchants, artisans, labourers, slaves and animals, fixing at the same time the amount of gold, free labour, toll and fines, that could be collected from each house. They also kept an account of the number of the young and old men, that resided in each house, their occupation, income etc. The Gopas were thus not only a sort of revenue survey officials but also tax-assessors. A number of circles formed a division. Four divisions made up a province (janapada). An officer named Sthānika was at the head of a division or district and was subordinate to the governor of the province. Like the Gopas, the Sthānikas attended to the revenue accounts of a quarter of the kingdom. A body of commissioners

^{1.} II, 26, 4. 9 (SBE., II, 163-164).

^{2.} See Ch. II, § 6.

called "Pradeshta" supervised the work of the Gopas and Sthānikas, and collected a special religious tax called 'bali'. The governor was under the central government carried on by the king assisted by a council of ministers. The Samaharta or the Collector-General was the departmental head of the Revenue administration. With the assistance of the "Pradeshtas" he collected the revenue through the various local agencies. All revenue accounts from the governments submitted to the were government in the month of Ashādha (June-July). The accountants of the different districts (the Gopas and probably the Sthanikas) had to be personally present, while submitting the accounts. The superintendents of accounts called Karanikas (Cf. the Karnam of the South Indian inscriptions) assisted by the revenue clerks called Karmikas (Cf. the Kammika of the [atakas], checked and examined the accounts. The ministers (mahāmātras) jointly exercised a supervising control over the revenue accounts. Kautilya enjoins that "the receipt shall be verified with reference to the place and time pertaining to them, the form of their collection, the amount of the present and past produce, the person who has paid it, the person who caused its payment, the officer who fixed the amount payable, and the officer who received it." The Superintendent of the Store-house (koshthagaradhyaksha)

2. Arth., p. 142 (Tr., Bk. II, ch. 35); Arth., p. 64 (Tr., Bk. II, ch. 7).

^{1.} A Chola inscription of 1253 A. D. mentions an officer called mahāmātra (EC., IX, Introduction, p. 21).

appears to have specially looked after the collection of agricultural produce. Megasthenes tells us that there were some great officers of the state, who had charge of the market and of the city. Some of them superintended the rivers, measured the land and inspected the sluices. They collected the taxes and superintended the occupations connected with land, such as, those of the wood-cutters, the carpenters, the blacksmiths and the miners.

§ 3. The Period of the Dharma Śāstras. Manu insists that the revenue officials must be brave. skilful, high-born and honest. The system of territorial organisation upheld by him is that there should be a group of ten villages under one official (the lowest unit being of course the village with its headman appointed by the king), a group of one hundred under one official, and a group of one thousand under one official. The head of the lower group was responsible to the head of the higher group, and the village headman was responsible to the lord of ten villages. "Those (articles), which the villagers ought to furnish daily to the king such as food, drink and fuel, the lord of one village shall obtain. The ruler of ten (villages) shall enjoy one kula (as much land as suffices for one family), the ruler of twenty-five kulas, the superintendent of a hundred villages (the revenues of) one village

^{1.} Arth., p. 93 (Tr., Bk. II, ch. 15).

^{2.} Mc. Fr., XXXIV.

^{3.} VII, 62.

the lord of a thousand (the revenues of) a town. The affairs of these (officials), which are connected with (their) villages and their separate business, another minister of the king shall inspect, (who must be) loval and never amiss." According to the Santi Parvan there were groups of 10, 20, 30, 100, and 1000 with appropriate officers over each group. In other respects, the administration is like that described in the Manusamhita. The Santi Parvan advocates the appointment of a body of officers called 'Sarvartha-Chintaka' to watch over the administrative system.8 The Vishnu Samhita mentions the groups of ten, groups of one hundred and a district (deśa).4 According to the Agni Purana the lord of a 'vishaya' (district) was at the head of a group of over one hundred villages.

§ 4. The Period of the Sukrani It has already been mentioned that Sukra advocated the organisation of villages on the basis of revenue. "Having determined the land revenue of the village the king should receive it from one richman in advance or guarantee (for payment) of that, either by

^{1.} VII, 115-120.

^{2.} LXXXVII, 3-8 (Śānti).

^{3.} LXXXVII, 10.

^{4.} III, 7-10 (SBE., VII, p. 15).

Ch. CCXXIII, 1: grāmasyādhipatim kuryyād daśagrāmādhipam nṛipaḥ, Śatagrāmādhipam chānyam tathaiva vishayeśvaram.

^{6.} See Ch. IV § 4.

monthly or periodical instalments. Or, the king should appoint officers called grāmapas, by paying one-sixteenth, one-twelfth, one-eighth, or one-sixth of his own receipts." It is further laid down that the "king should give to each cultivator the deed of rent having his own seal".2 The ruler of ten gramas is known as Nāyaka, that of one hundred gramas Nrisāmanta (an independent ruler of one hundred villages is called a sāmanta), that of 10,000 villages Āsāpāla.* The Sukraniti further lays down that the 'king should personally inspect every year the grāmas, puras (cities), and desas (that is, districts and provinces) and must know if the subjects have been pleased or oppressed by the staff of officers, and deliberate upon the matters brought forward by the people."4 An officer called Sumantra, apparently under the immediate control of the Amatya, kept the statistics with regard to land. He thus recorded information as to how many cities, villages, and forests there were, the tracts of land under cultivation and the tracts remaining uncultivated, who received the rent, the amount of revenue realised as taxes and fines, who received the remainder after paying off the rent, the amount realised from the uncultivated tracts, forest-yields, realisations from mines, the amount realised as unowned or unclaimed

^{1.} Ch. IV § 2, 124-126 (Śukranīti).

^{2.} Ibid.

^{3.} Ch. I, 192 (tr., pp. 24-25).

^{4.} Ch. I, 374-375.

property, the property got back from thieves, etc.1

§ 5. The Epigraphic evidence, especially of the North. The North Indian inscriptions do not refer to the grouping of villages into ten, one hundred and so on, which shows that such organisations were not generally in vogue in the North. The inscriptions of the pre-Gupta period from Northern India and the Deccan refer to 'rashtra', 'ahara' (or hāra), 'janapada', 'deśa' and 'vishaya' as the administrative units above the village. Some of these terms, while meaning a district, are also sometimes taken to imply a higher division. Thus according to the Myakadoni inscription of about 135 A. D. the Satahanirāshtra or Sātavaghani hāra was also called a janapada.2 Räshtrika was the name of the officer who governed a 'rattha' or rāshtra, hāra or janapada. The Hīrahadagalli copper plate inscription of Sivaskandavarman is addressed, among others, to the ratthikas, deśādhikata etc.⁸ An amātya also ruled over an āhāra. Thus Parigupta was the amachcha who controlled the āhāra of Māmāla.4 The amātyas Vishnupālita, Śyāmaka and Sivaskandila successively governed the āhāra of Govardhana in the time of Gautamiputra Sātakarni and Pulumāvi. The ruler of an āhāra was also called a

^{1.} II, 102-105.

^{2.} MER., 1915-16, p. 112.

^{3.} Lüders, 1200; EL., I, p. 2. See also Lüders, 1202, 1281.

^{4.} Lüders, 1105.

^{5.} Lüders, 1124-1126.

Vīyapata or Vāpata (Vyāprita). The ruler of a deśa was Deśādhikrita (deśādhikata) mentioned above, and the Vishayapati was at the head of a vishaya.

The inscriptions of the Gupta and the post-Gupta periods mention not only these terms but also many more, such as, mandala, khanda, kshetra, bhoga, petha, santika, bhukti etc. The Sanchi stone inscription of Chandragupta II refers to the town of Nashți as lying in the Sukuli deśa.3 The Bihar stone pillar inscription of Skandagupta speaks of the city of Ajapura as lying within a vishaya.4 The Bhumara stone pillar inscription of Hastin and Sarvanatha tells us that the village Ambloda was situated within a bhoga. bhogas were apparently under the Bhogikas, and the office seems to be hereditary, for, the Karitalai copper plate inscription of Jayanatha refers to three successive generations of bhogikas.....the grandfather, father and son. This is further corroborated by the Khoh copper plate inscriptions of Jayanatha and Sarvanātha.6 A khanda is also regarded as an administrative unit above the village. Petha appears to be another higher division above the village. Thus

^{1.} Lüders, 1327, 1328.

^{2.} Lüders, 929 n.

^{3.} Gupta Ins. p. 31.

^{4.} Ibid., p. 50.

^{5.} Ibid., pp. 118-119.

^{6.} Ibid., p. 128.

^{7.} Ibid., 32-33 note. See also Ind. Ant., XIV, 16. 21.

the Khoh copper plate inscription of Mahārāja Samkshobha records the grant of half of the village of Opāni in the Manināga petha. An inscription of Dharasena II of Valabhi (571 A.D.) speaks of the village Valagrama as lying in the Dipanaka petha and the Bilvakhāta sthalī, From a Khoh copper plate inscription we further learn that the village Dhavashandikā was situated within the Vota-santika. Patta as a district is mentioned in a record of Mahārāja Hastin.³ The Alina copper plate inscription of Siladitya VII (776 A. D.) tells us that the village named Mahilabali was in the Uppalaheta pathaka, in the famous Khetakāhāra. The Deo-Baranark inscription of Jīvitagupta refers to the village of Vārmikā as lying in the Nagara bhukti within the Vālavī vishaya. An inscription of Mahendrapala (c. 761 A. D.) refers to a village as belonging to the Valayika vishaya in the Śravasti mandala. From the above, it thus appears that though the administrative division of villages into districts and the districts into provinces was maintained for ages, there was no uniform system of naming these divisions. The Damodarapur copper plate inscription No. 3 tells us that a bhukti or province was under a Uparikamahārāja. We further learn from the Damo-

^{1.} Gupta ins., 116.

^{2.} Ind. Ant., XV, 187.

^{3.} Gupta Ins., 104.

^{4.} Gupta Ins., p. 216.

^{5.} Ibid., 32-33 note. See also Ind. Ant., XV, 112.

^{6.} EI., XV, 136.

darapur plates that the government of a Vishaya or district was carried on by the Vishayapati also called the Kumārāmātya, Ayuktaka or the Adhikaraņa, assisted.by an assembly consisting of the Nagara-śreshthi (the president of the merchant-guild), Sarthavaha (representative of the traders), Prathama-kulika (probably the representative of the village assemblies), the Head Scribe (prathama-kāyastha) and a Record-keeper (pustapala).1 According to the Three Copper Plates from East Bengal the vishaya was either under a Vishayapati or under a council with the Jyeshtha-kayastha (Head scribe) as the president (pramukha). The council was constituted of the Sadhanika, Vyapara official (who probably looked after trade and commerce), the Mahattaras or the representative elders of the district, the Record-keeper (pustapala) and the Landmeasurer.

§ 6. The Evidence of the Inscriptions from the Deccan and South India. The inscriptions from the Deccan and South India use some of the terms mentioned above to indicate the administrative units above the village. Thus a grant of Vijayarāja Chalukya (c. 472 A. D.) refers to vishaya, rāshṭra and grāma. The Samangad inscription of Dantidurga Rāshṭra-kta (755 A. D.), the Wani grant of Govida III

^{1.} EI., XV, pp. 113-145.

^{2.} Ind. Ant., XXXIX, 195-214.

^{3.} Ind. Ant., VII, 248.

^{4.} Gupta Ins., 32-33, note.

Rāshtraktīta (793 A. D.) and the Kauthem grant of Vikramāditya V Chalukya (1009 A. D.) mention the Rāshtrapati first, then the Vishayapati and lastly the the Grāmakūta or village headman, showing thereby the divisions. The grants of Amma II make Desa or Mandala correspond to province and vishaya to district.* We also come across references to the grouping of villages into 20, 30, 70, and so on upto 96,000 or even 7½ lakhs. According to an Aihole inscription the territory of the earlier Chalukyas (550-753 A. D.) consisted of three maharashtras containing 99000 cities.4 This raises a presumption that each mahārāshtra was organised on the basis of grouping of the villages. An inscription of Akalavarsha Krishna III of the Rashtrakūta dynasty, dated about 945 A. D., refers to a division of 300. The references to such organisations are however very copious in the Chalukva inscriptions. An inscription of the reign of Satyaśraya (C. 1008) refers to a division of 500. The Alur inscription of Vikramāditya V (1009-14) tells us of the rulers of 30, 300, 500, 32000, and a Sudi inscription of the same monarch speaks of the administrative

^{1.} Ind. Ant., XI, 159.

^{2.} Ind. Ant., XVI, 24.

^{3.} Gupta Ins., 32-33; Ind. Ant., VII, 16.

^{4.} Ind. Ant., VIII, 244; Dynasties of the Kanarese District by Fleet (Bombay Gazeetter), p. 341, note, 2.

^{5.} EI., XIV, 366.

^{6.} EL, XVI, 75.

^{7.} EL, XVI, 30.

divisions of 701. Two inscriptions of Jayasinha II (1173) mention the divisions of 12000, 500, 300 and Two Sudi inscriptions of Somesvara I (1042-68) administrative tell of the divisions 60, 70, and 140 and mention the district or the divisional commissioner under the title Nādapergade. Another Sudi inscription of the same king tells us that Nagadeva the governor of Toragare sixty and Balguli and Karittage had for his own maintenance certain villages with full internal rights.4 This shows that the remuneration of local officers by assignments of land, as referred to in Manu, still continued at least in the Chalukya kingdom. An inscription of Someśvara II (1074) refers to a group of 20.5 It appears from an inscription of Vikramaditya VI (1076-1127) that there was a town over a group of 30 villages, and that there was also a group of 1000.6 One of his inscriptions dated 1102 A. D. refers to the governor of 12000 and to the administration of the 'achchu-pannāya of the 7½ lakh country" by the Mahāpradhāna

^{1.} EI., XV, 76.

^{2.} EL, XVI, 76.

^{3.} EI., XV, 77.

^{4.} EI., XV, 92. Cf. EI., III, 813.

^{5.} El., XVI, 72,

^{6.} EI., XV, 30.

^{7.} EI., XVI, 35. 'Achchupannāya' was one of the branches of taxation. The expression 'saptārddhalakshe' (7½ lakh country) appears to have applied originally to the Rāshtrakūta kingdom. See Fleet's Dynastics of the Kanarese

Anantapālayya, the minister of Vikramāditya VI. Ira. ttapādi 7½ lakh country is referred to in an inscription of Vīra Rājendradeva.1 The Lakshmeśvara inscription of this king refers to two groups of 300, two one thousand groups, one twelve thousand group, and a group of 84.2 Manasollasa, a work composed during the reign of Somesvara III (1126-1138), to the administrative divisions of 10, 20, 100 and 1000 with appropriate rulers over each group.3 The epigraphic evidence is thus corroborated by the literary. An inscription of Jagadekamalla mentions the divisions of 300, 500 and 12000. A 3000 province is referred to in an inscription from Belgaum dated 1204. A Chalukya record dated 1056 refers to the Paliyanda 4000 district, and another to Nonambavadi 32000. An inscription of Jagadekamalla Jayasimha dated 1013 A.D. mentions Udayadityadeva as governing the Gangavādi 96000, the Kodambalike 1000, the Kogali 500, a portion of Māsiyavādi 140, the Ballakunde 300 and the Kudihāra 70 included in the Ededore 32000.

Districts, p. 341, note 2.

MER., 1915-16, p. 118. See also EC., X, (Mulbagul Taluq) no. 107.

^{2.} EL, XVI, 58.

^{3.} P. 43, (Gaekwad's Oriental Series).

^{4.} EI., XVI, 50.

^{5.} EI., XIII, 18.

^{6.} MER., 1903-4, p. 33 (no. 80).

^{7.} Ibid., p. 34 (uos. 86, 92, 94).

^{8.} Ibid., p. 34 (no. 87); p. 35 (nos. 100, 103, 107).

In the Hoysala kingdom also a similar grouping of villages prevailed. Thus a record dated 1130 A. D. refers to Nagare 300.1 A 12000 division seems to have corresponded to a district. Thus in one place we are told that certain villages lying within the Edenad seventy were also within the Banavase 12000 which is elsewhere called Banavase-nad with a governor. A Kalachuriya record dated 1173 makes it clear that a nad or nadu had a fixed rent, which was collected by its Governor and paid treasury.* According to a to the Mahāvali record dated 890 A. D. Elenagar-nad 70, the Avanyanad 30 and the Ponkunda twelve were governed by one man.4 The early Pallavas seem to have had 'koţţam' and 'rāshţra' as administrative units above the village. Thus the Kasakudi plates of Nandivarman mention that the village Ekadhīramangalam was in the Undivanakoshthaka (kottam) a subdivision of Tondakarāshtra.

§ 7. The Chola Administration. So far as the Chola administration was concerned, we notice that there was a regular organisation of the villages into Kürrams or nadus or kilnadus, that is,

^{1.} EC., V, 124.

^{2.} EC., VII, Introduction, pp. 3, 27; tr., pp. 103, 110.

^{8.} EC., VIII, 19.

^{4.} EC., X, 137.

^{5.} SII., II, no. 73.

^{6.} SII., III, no. 181.

districts, of the nadus into valanadus or kottams. Sometimes a few kūrrams composed a nādu or valanādu, and a few valanadus made up a kottam. The kottams composed the Cholamandalam or the Chola kingdom. The Chola inscriptions do not always maintain uniformity in mentioning these names. Thus from one inscription we learn that the village Tirukkovalur was in Kurukkai-Kūrram, a subdivision of Milādu alias Jananātha-valanādu.1 but from another inscription we learn that the Rājanārayana-chaturvedimangalam village Oyma-nādu (not a kūrram here) alias Vijayarājendravalanādu, which was a subdivision of Tayangonda-Cholamandalam. An inscription of Sakalaloka-Chakravartin speaks of the village Arpakkam as lying in Eyil-nādu, a subdivision of Eyir-kottam, a district of Jayangondasola-mandalam. It should also be noted that a few small villages often composed a mangalam, which sometimes gave its name to a nadu.* The highest division of the Chola empire was called a Mandalam. The inscriptions refer to at least six mandalams, namely, Jayangondacholamandalam (the Pallava country embracing the coast-districts between the rivers, the southern Pennar, the northern Pennar and probably the Kistna). Cholamandalam (Tanjore and Trichino-

^{1.} MER., 1918-19, p. 54 (no. 67).

MER., 1922-23, p. 74 (no. 140). See also SII., III, nos. 108, 114, 116.

^{3.} SII., III, no. 205.

poly), Rājarājamandalam (parts of Madura and Travancore), Adhirājarājamandalam or Sola-Kerala-mandalam (Salem and Coimbatore), Gangai-kondachola-mandalam (Mysore and Bangalore), and the Nikharilichola-mandalam (Kolar, part of North Arcot and Salem and part of Cuddapah).1 The older name of Jayangondacholamandalam was Tondaimandalam which, according to tradition, was divided into twenty-four kottams. These twenty-four kottams were again subdivided into seventy-nine nadus. The seventy-nine nadus were similarly subdivided into 1900 nattams or townships, and 12000 gotrams, that is, families were said to have lived in these nattams.2 That this tradition is not without foundation, is proved by the fact that the South Indian inscription refer to many of these kottams. According to an inscription of Rajendracholadeva dated 1072 A. D. Jayangondachola-mandalam was a 48000 country.

Each nadu had its nattan or sheriff and an assembly to transact the business touching the shire. The composition of this shire-assembly is not exactly known. It is probable that the sheriff assisted by some subordinate sheriffs, who might have been the villageheads. A South Indian inscription tells us that three villages were made over as gift for the maintenance of a college (vidyāsthāna) at Bāhūr by a royal official

^{1.} See Ancient India by Krishnasvami Aiyangar, pp. 174-175

TTMR., pp. 54-56. See also Historical Sketches of Ancient Deccan by K. V. Subrahmanya Aiyar, pp. 4-5; and SII., II, pp. 21-29.

^{3.} EC., X, 86 (no. 49 a).

^{4.} Cf. Nāţ-kīl-nāţţār of SII., III, no. 205.

with the approval of the king; and that 'the order was communicated to the assembly of Bāhūr-nādu (nāttār) who, on receiving it, obeyed it, placing the order on their heads, circumambulated the village, planted stones and milk-bush and drew up the necessary document.'1 It is clear from this inscription that the Nadu assembly looked after the interests of the whole nadu in matters of gift of land; and that every detail regarding transfer of land, utilisation of the produce from the land and such other relevant matters was entered into its documents. A Chola inscription records that the assembly of Puduppākkam having misappropriated the revenues of the Devadana at Tirumalperu, a royal order was addressed to the nattar (sheriffs) of Manaiyil-nādu in Manaiyil-kottam as well as to the villageheads concerned to the effect that "the 3000 kadi of puravu from Sangappādikilān's estate (kāņi), a tax-free Devadana of the temple of Mahadeva at Tirumalperu in Sirriyarrur belonging to your nadu, being payable by the members of the assembly of Puduppākkam, a Brahmadeya in Puriśai-nādu, (since it was given over) to them as a Devadana and a Brahmadeya, and the 3000 kādi of puravu, 561 kādi of iravu and 261 kaļanju and (one) maniadi of gold, which these residents of Sirriyarrur have been previously paying (on the village of Sirriyarrur.....in all 6561 kadi of paddy) and 261 kalanju and (one) manjadi of gold, shall thus be paid by the members themselves of the assembly of

^{1.} SII., II, no. 98.

Puduppakkam to (the temple of) Mahadeva at Tirumalperu.".1 This shows that when the dispute was between two nadus (as for example here between Manaivil-nādu and Puriśai-nādu) the king or rather the central government interfered. This also shows that transactions regarding land and land-revenue had to pass through the assembly of the nadu. When a gift of land was made by the king it was formally given effect to by the revenue officers of the crown in co-operation with the members of the shire assembly. Thus a Chola inscription records the order of the king to the effect that 'the twelve veli of land of Ilanalam in your nadu, which have been entered in the accounts as a tax-free Devadana and Salabhoga,.....shall have its hamlets circumambulated; (and for this purpose), we give (names of some officers).....to swell (your number). You shall, in company with these persons, mark out the boundaries, take round the female elephant, circumambulate the hamlets, plant stones and milk bush and prepare the written deed.' This inscription further tells us that this order was carried out by the members of the nadu assembly, and the officers who associated with them were the councillors (Karumamarayum), revenue officers (Puravuvari), officers in charge of revenue-registers (varippottagam), revenue accountants (Varippottaga-kanakku), revenue clerks (Variyilidu), Mugavetti (engraver?), Pattolai and the chief secretary (Olaināyagam). A Devadāna grant

^{1.} SII., III, no. 142.

^{2.} SIL, III, no. 151; MER., 1915-16, p. 119.

of Rajendrachola I is similarly addressed to the headman of the shire and refers to the association of the same officers with them. Sometimes, the nadu assembly and the village assembly jointly farmed the cultivable lands. Thus an inscription dated 950 A. D. (found in the Mandya Taluq) records the grant of a piece of land near the Matti channel under a big tank, evidently for the maintenance of irrigation-works. The grant is made over to the Nādu and the village concerned.2 These few_examples are sufficient to give us an idea of the importance of the shire assembly, headed by the Nattan, in matters relating to the land revenue administration. A late authority tells us that the Nattan originally held the whole civil authority of the nadu and that 'until lately the nattar were considered the legitimate sources of information in all revenue transactions, and, generally, in matters relating to the state of the country.3 The epigraphic evidence also shows that the nattar were an important body of revenue officials, standing mid-way between the villages on the one hand and the crown on the other and exercising a very important function in matters of distribution of land.

The late authorities on the land-system in South India further tells us that 'the junction of the Nattans of a kottam with the chief proprietors of their respec-

^{1.} SII., III, no. 205.

^{2.} EC., III, p. 42.

^{3.} TTMR., p. 57.

trve nadus formed what was called the Maha-nadu, an assembly, of which the tradition now only remains.'1 This tradition is based on historical facts as some of the inscriptions show. These mahanadus were apparently attached to the Valanadus or kottams mentioned above, and constituted an assembly to discharge very many important functions, not only in revenue matters but also in civil and criminal justice. So far as revenue matters were concerned, we note, on the authority of an inscription, that the nattar of Tiruvayppadi decided that they would collect every year from the tenants, ghee at the rate of a nali per cow and supply it to the same temple, and that they would contribute a portion of the Śrī-jayantī festival. In another inscription we read that they converted some land, given as a Devadana (evidently not wholly tax-free) by certain persons, into a 'sarvamanyam' or wholly tax-free estate. A Pandya inscription dated 1273 A.D. records an interesting incident with regard to the revenue transactions carried on by the nattar. The revenues expected for two successive years from the village of Marudur in Urattur kurram having failed for lack of cultivators (who probably left the village owing to heavy taxation), the nattar in council resolved to shoulder the burden of the responsibility for payment and agreed, in concert with the representatives of the

^{1.} Ibid.

^{2.} MER., 1922-23, p. 34 (no. 523)

^{3.} Ibid., 1922-23, p. 74 (no. 141)

towns and the villages of the nadu, to give away Marudur to two individuals, who, in return, undertook to supply offerings in a temple for the merit of the nādu. This shows that the nāttār of a valanādu were responsible to the crown for the collection of the revenue, and that they could, with the consent of the people, distribute a deficit amount over the whole nādu. This agreement arrived at by the nāttār and the people was approved by the king. A record of the reign of Rajaraja III (early part of the thirteenth century) tells us that the great village assembly of Nīdūr convened a big meeting of the Nattar, Kutumbar and Karaiyār (that is, a Mahānādu assembly), which passed resolutions to the effect that 22 kasu should be assessed, as formerly, on every one-thirty-second of a vēli of land for a single crop, while Vettikkāśu³ and Viniyogam4 were fixed at five kāśu and one kāśu respectively; that none but the ruling king should demand taxes from them; that they should supply labourers at the rate of one man for every kani of land cultivated for carrying the paddy to its destination. We have also other instances to show that the nāttār or the sheriffs of a nādu had the power of fixing the rates of taxation. Thus according to an inscription of 1410 A. D. the nattar of a certain nadu authori-

^{1.} MER., 1922-23, pp. 18, III (no. 357 of 1922).

^{2.} Ibid., p. 17 (no. 354 of 1922).

^{3.} See Appendix A.

^{4.} See Appendix A.

^{5.} MER., 1921-22 p. 104.

sed the collection of the following dues from a certain place for the local temple: one tuni and one paddakku of paddy on one mā of 500 kuli of wet land; one-fourth panam on one mā of dry land; one ulakku of ghee per mensem on every herd of 20 cows owned by shepherds; and one ulakku of gingelly oil (per mensem) on every oil-mill. A series of inscriptions, dated about the beginning of the fifteenth century A. D., shows that when the crown decided to revise or remit taxes, the decision was addressed to the Nāṭṭavar of the country. The nāṭṭār exercised criminal jurisdiction, and the culprits were usually fined in land or the user thereof, which was then made over to temples.

So far as the Chola administration was concerned, it thus follows that the collection of the revenue was, in the first place, made by the village assembly (See chapter III § 8), and then the nathan took charge of it, and finally the council of the nathan. At all these stages certain officers of the central government, such as, Karumam-Ārāyum, Puravuvari, Varippottaga-kaņa-kku etc., mentioned above, co-operated with the local authorities. The revenue department of the central government under the Chola administration appears to have been known as Puravaritinaikka am, the head

^{1.} MER., 1921-22, p. 110.

^{2.} MER., 1917-18, pp. 165-166.

^{3.} MER., 1906-7, p. 77; 1917-18, pp. 104, 106; 1918-19, pp. 51 (no. 33), 54 (no. 67), 57 (no. 106) 72 (no. 273) and 99.

of which was called Puravaritinaikkala-nāyagam. The officers (Puravaritinaikkalattu-kuru) who belonged to this department, along with their chief, used to allot the taxes in connection with a Devadāna apparently in co-operation with the villages.

A few epigraphic records of the reign of Jatavarman Kulasekhara I of the later Pandya dynasty throw some light on the revenue arrangements that were made in connection with a Devadana grant. The Annual Report of the South Indian Epigraphy for 1916-17 thus summarises the main points; 'The king in his royal camp at some place is approached either by a minister or a private person or a body of persons and requested to make gift of a particular land to a temple or, oftener, to make a land, which had been already granted, tax-free. The submission of the request (vijnapti) was perhaps a customary procedure and was done while the king was comfortably seated in his palace. There appears to have been in South Indian courts a regular official called Viiñapti, whose business it was to communicate such requests. The king promises to do so right solemnly and orders that the necessary olai and the ulvari (formal orders) from the revenue department may be duly issued. This forms the first document of the triple series and was called evidently Śrīmukha or tirumugam being signed by one or two of the king's officers. The executive order (olai or kelvi), which is issued sometimes

^{1.} SII., II, p. 412, note 4; SII., III. no. 73 and no. 57.

^{2.} SII., III, nos. 57, 87. See also Ch. XI § 7.

after,—often some years—is addressed to the authorities at the spot where the land-gift is made, with instructions to make the land tax-free in favour of the specified temple, and generally begins with the title Konerinmaikondan of the king and not with his proper name. A demi-official note called Kaittadi, olai, or kadaiyidu is sometimes also sent direct to the temple committee or the village assembly, one or more ministers intimating to them the issue of the order. The officers of the revenue department (Variyilar or puravariyar) now issue the document called ulvari, enter the same in the revenue registers, thereby effecting a decrease in the total revenue to government but an increase to the temple emoluments. The items of taxation under different heads are mentioned evidently for being collected and transferred to the temple. The document is signed by a very large number of revenue officers and ministers. The village assembly meets together, receives the tirumugam and other documents, and proclaims the particular land to be tax-free by an executive order (olai) and sometimes fixes the boundaries."

§ 8. Land Survey. For the purpose of an accurate realisation of revenue land surveys were made from time to time. The earliest references to land survey are probably in the Jātakas. According to the Kāma Jātaka the king's officers on one occasion came

^{1.} MER., 1916-17, pp. 109-110.

to a border village for taking a survey of the fields.1 The Kurudhamma Jataka tells us that the Rajjugahakaamachcha (lit. rope-holding minister), that is, the Surveyor General was one day measuring a field by tying a rope to a stick and giving one end of the rope to the owner of the field to hold, while himself keeping the stick into his own hand. The Surveyor-General happened to put the stick into a crab's hole with the crab inside, whereupon he thought: 'If I put the stick in the hole, the crab in the hole will be hurt; if I put it on the other side, the king's property will lose; nd if I put it on this side, the farmer will lose." This incidentally shows how carefully the work was done. The Mauryan government appears to have taken an elaborate survey of the land in its diverse aspects, so that the taxable capacity of each village was very accurately ascertained. The Arthasastra mentions the several heads under which facts and figures were collected. Megasthenes also refers to land-survey. The Sukranīti describing the functions of the Sumantra and the Amatya indirectly refers to land-survey. The earliest

Vol. IV, 169:...rājakammikā khettappamānā-gahanatthāya tani gāmam agamimsu...(tr. IV, no. 467).

^{2.} See Fick's Sociale Gliederung, p. 97.

^{3.} Vol. II, p. 376 (tr., Vol. II, no. 276).

^{4.} Arth. (tr.), Bk. II, Ch. 7; Bk. II, Ch. 35. See § 2 of this chapter.

^{5.} Mc. Fr. XXXIV. See § 2 of this chapter.

^{6.} See § 4 of this chapter.

epigraphic reference to 'rajukas' or 'lajukas' in the sense of surveyors occurs in the Asokan inscriptions. Rajuka is also mentioned in another Prākrit inscription of later times.1 The North Indian inscriptions however make no direct reference to any systematic survey. From a number of inscriptions it appears that the local bodies usually kept a record of the land under their control, and various ways of measuring land were in vogue in different parts of India. The Damodarapur copper plate inscriptions and the East Bengal copper plate inscriptions refer to a class of officials called Pustapala who apparently kept all records about land.2 A method of measuring the land by the quantity of seed sown is referred to in these inscriptions. varta measurement of land is spoken of in an inscription of Dharasena II (572 A. D.).3

The South Indian inscriptions, however, give us very valuable information. The inscriptions on the walls of the Brihadīśvara temple at Tanjore show that revenue surveys were made in the Chola kingdom before the time of Rājarāja I. An inscription of Rājarāja Rājakeśarivarman Choladeva (985-1013), which is dated in the nineteenth year of his reign, refers to "the measuring of the earth", that is, the revenue survey conducted in the seventeenth year of his reign. This

^{1.} Lüders, 416.

^{2.} EL, XV, pp. 136 ff.; Ind. Ant. XXXIX, pp. 195 ff.

^{3.} Ind. Ant., XV, pp. 187-188.

^{4.} MER., 1906-7, p. 76; 1900, p. 10.

survey was made apparently as a result of the errors that had crept into the then measurements of land.1 A second inscription of the same monarch tells us that Tiruvadigal Śāttan was the officer in charge of the survey operations.2 A third record of this king dated 1007 A. D. speaks of the excess in measurement in the land-survey of 1002 A. D.* Two other records of the reign of Rajaraja I (the same monarch) give us very minute details in connection with the measurement of certain lands in some villages, which clearly shows that the revenue surveys were very accurately done.4 We are told that 'land as small in extent as 52423500000 of a vēli was measured and assessed to revenue." Another inscription of this king states that, as a result of a revenue survey, about 900 kalam of paddy was collected as surplus to the state, which was however made over to the temple. There is a reference to a land-survey in one of the inscriptions of his son Rajendra (1011-1041), but this is supposed to refer to the previous surveys.7 Another Chola record refers to a land survey effected in the sixteenth year (1086..... the year of the Domesday Survey in England) of Kulottunga I (1070-1118). The unit of measurement adopt-

^{1.} MER., 1912-13, pp. 96, 76 (no. 59).

^{2.} MER, 1017-18, pp. 142, 17 (no. 199).

^{3.} Ibid., pp. 142, 25 (no 285).

^{4.} SII., II, nos. 4, 5.

^{5.} MER., 1906 7, p. 76.

^{6.} MER., 1923-24, p. 101.

^{7.} Ibid., 1917-18, pp. 144, 26 (no. 296).

^{8.} Ibid., 1913-14, pp. 89. 37 (no. 317). See also MER., 1905-

ed appears to have been the royal foot (śri-pāda) as the expression 'rod equal to the royal foot which measured the (whole) world' indicates. An inscription of the Chola king Rajadhiraja I states that, on a representation made by the village assembly of Uttamasolachaturvedimangalam to the effect that the original survey and classification of the village lands were in a chaotic condition, the royal officer (adhikarin) reclassified these tracts and reassessed them properly. It was also laid down that no fresh taxes were to be levied on the land surveyed, except on that found to be in excess.2 An inscription of Kulottunga III of the same dynasty refers to the land survey committee (nilamalavupadapperumakkal) of a village assembly and to an eight-fold classification of the lands. The king ordered, with regard to the assessed lands of a certain temple, that 'lands declared to be superior to the eighth class be assessed as per those of the eighth class (ettām-taram) and that those below the eighth class be allowed to continue as before.' An inscription of the fifteenth century A. D. gives us an indirect reference to a land-survey. It was found that, if two feet more were added to the existing measuring rod, it would be convenient for the cultivators to pay the taxes. Accordingly the measuring rod was changed for the benefit of the taxpayers, and both the wet and the dry lands were measured anew with it.4

^{6,} p. 52.

MER., 1900, p. 10.
 Ibid., 1921-22, pp. 102, 76 'no. 239).
 Ibid., 1913-14, p. 30 (no. 262).

^{4.} Ibid., 1917-18, p. 165.

CHAPTER XI.

LAND-TAXATION.

Land revenue was the mainstay of finance in the states of ancient India. It was realised in various forms from different kinds of land. This chapter is devoted to a discussion of these forms of incidence of taxation on land.

§ 1. The Periods of the Rig-veda, the Jatakas and the Sutras. The earliest reference to taxation occurs in the Rig-veda. In one hymn king Nahusha is said to have forced his people to pay a tax called 'bali', but there is no evidence to show that this tax was levied on land. The Jatakas make it clear that the king had a right to a portion of the produce of the land. In the Kurudhamma Jataka we read that a person, having carelessly plucked a handful of paddy from his own field, regrets: 'From this field I have vet to give the king his due, and I have taken a handful of rice from annuntithed field.'s This due was known as 'bali' and was collected in the royal granary (koshthagara), which was in charge of a minister called 'Donamapako Mahamatto.' We are told that, sitting at the door of the granary, he caused to be measured the king's share of the produce.3 The tax

1. RV., VII, 6, 5. See Ch. IV § 1.

3. Ibid: Kotthagaradvare nisīditvā rājabhāge vīhim mināpento.

Imaiihā kedārā mayā rañño bhāgo databbo, adinnabhāgato yeva cha me kedārato sālisīsamuţthi gāhāpita (Vol. II, p 318).

was collected by officials called 'Balisadhaka' and Rajakammika' (Cf. Kārmikas of the Arthasastra referred to in Chapter X § 2). The exact share taken by the king is not known. Probably it varied according to the nature of the soil. A great deal also depended on the whim of the king, for, he seems to have exercised the right of increasing the taxes at his will2 or of remitting them.3 In a few cases the Jatakas refer to villages vielding a revenue of 100,000 (Kāhāpana). Thus according to the Vaddhaki-sükara Jataka Maha-kosala gave his son in-law Bimbisāra a village of Kāsi yielding an income of 100,000. The Avariya Jataka records the gift of a village yielding the same amount. This gives rise to a presumption that the land-revenue was also realised in money, at least in some cases. According to the Vasishtha Dharma Stitra the king takes a sixth part of the wealth of his subjects. It is also held that "no taxes shall be paid on the usufruct of river, dry grass, forests, (places of) combustion and mountains." But this injunction does not appear to have been always followed.* According to Gautama, 'cultivators must pay to the king a tax (bali) amounting to one-

See Gandatinda Jataka, Vol. V, pp. 103, 106; Kāma Jataka, IV, p. 169.

^{2.} Gagga Jātaka (I, no. 155); Mahā-assāroha Jātaka (no. 302)

^{3.} Kāma Jātaka IV, no. 467.

^{4.} Satashasasutthāyikam kāsigāmam. (Vol. II, p. 403).

^{5.} Vol. III, p. 229 (tr., III, No. 376).

^{6.} I, 42 (SBE., XIV, 8).

^{7.} XIX, 26. (SBE., XIV, 99).

^{8.} See Ch. IX § 6.

tenth, one-eighth, or one-sixth of the produce.....and of roots, fruits, flowers, medicinal herbs, honey, meat, grass and fire-wood one-sixtieth.' Baudhāyana also prescribes one-sixth of the income of the subjects as the pay of the king.²

§ 2. The Age of Kautilya. Kautilya's canon of taxation is; "Just as fruits are gathered from a garden as often as they become ripe so revenue shall be collected as often as it becomes ripe; collection of revenue or of fruits, when unripe, shall never be carried on, lest their source may be injured, causing immense trouble."3 The Arthasastra mentions seven principal sources of income. Six of them more or less relate to land in one form or other. Thus under the source called 'durga' (lit. forts) is mentioned the income from the warehouse of merchandise and building-sites; under 'rashtra' (i. e., country-parts) are included the produce from the crown lands (sītā), portion of the produce payable to the government (bhaga), evidently by private individuals cultivating their own lands, religious taxes (bali), taxes paid in money (kara), incomes from rivers. ferries, towns, pastures, road-cess (vartani), 'rajju' and 'chora rajju'4; under mines are included gold, silver, diamonds, gems, pearls, corals, conchshells, metals, salt and other minerals extracted from the plains and

2. 1, 18, 1 (SBE, XIV, 199).

^{1.} X, 24. 27 (SBE., II, 229-230).

^{3.} Arth., 244: Pakkvan pakkvan ivārāmāt phalam rājyādavāpnuyāt, Āmachchheda-bhayād āmam varjayet kopakārakam.

^{4.} See Appendix A.

the mountain slopes; under 'Setu' we notice flowergardens, fruit-gardens, vegetable-gardens, wet-fields, and fields where crops are grown by sowing roots: under 'Vana' are mentioned game-forests, timber-forests and elephant-forests; and under 'Vanikpatha' or incomes from traffic we notice the incomes from the land on the water-ways. The crown-lands apparently yielded a land-revenue on varying rates. Thus the normal rate. that a cultivating labourer (sva-vīryy-opajīvinah) tilling the crown lands used to get, was one-fourth or onefifth of the produce raised by him; the rest of the produce went to the royal granary. When there was any paucity of labourer, the unsown lands (vapatiriktam) were let out for half the produce; and if lands were still left uncultivated, then these were leased out on whatever the cultivators could give without any hardship. The cultivators of the crown lands also paid a water-rate.2 From the lands under private occupation the Mauryan government appears to have realised the following kinds of revenue: fixed taxes (pinda-kara), which is explained as taxes levied on the whole village (Cf. the South Indian custom); one-sixth of the produce (shadbhaga); provision paid (by the people) for the army (senābhakta), such as, rice, oil, salt etc. (Cf. Amanji, Echchoru etc. of South India); religious taxes (bali), which, according to the commentator of the Arthasastra, amounted to ten panas, twenty panas and

[.] Arth., p. 59 ff. (tr., Bk. II, Ch. 6).

^{2.} See Ch. IV § 10.

so on; subsidies paid by the vassal kings for their kingdom (kara); taxes specially collected on the occasion of the birth of a prince (utsanga); taxes collected as extras when there was margin for such collection (parsva); compensation levied in the shape of grains for any damage done by cattle to crops (parihinaka); presents made to the king (aupāyanika); and the taxes levied on lands below tanks, lakes etc., built by the king (kaushtheyaka). In times of need however the king could raise his demand upto one third or onefourth of the grain (in place of one-sixth), in such places as depended solely upon rain-water and were rich in grain, that is, where the land was of the first quality. He should not, however, make such demands on the people cultivating the middle or low quality of land, nor on people helpful in the construction of fortifications, gardens, buildings, roads for traffic, colonisation of waste lands, exploitation of mines and formation of forest preserves. The peasantry should be prevailed upon to grow summer crops, and when the crops would be ripe, the royal employees should beg an extra share, in addition to the royal dues. The king, when in difficulties, might also claim one-sixth of the forest-produce and of such commodities as cotton, barks of trees, hemp, sandal, flowers, fruits, vegetables, fire-wood, bamboos etc.3 The revenues accruing from the mines have already been referred to.

^{1.} Bk. II, Ch. 15.

^{2.} Bk. V, Ch. 2. (Original, p. 240). 3. See Ch. IX, § 7.

§ 3. The Dharma Sastras on Taxation. According to the Santi Parvan the king should take one-sixth of the produce (balishashtha) from land.1 In one place it is stated to be one-tenth of the produce. It is further laid down that 'no tax should be levied without ascertaining the outturn and the amount of labour that had been necessary to produce it.'8 The canon of taxation here is that an intelligent king 'should milk his kingdom after the analogy of men acting in the matter of calves; if the calf be permitted to suck, it grows strong and bears heavy burdens; if, on the other hand, the cow be milked too much the calf becomes lean and fails to do much service to the owner.' Similarly, if the kingdom be drained much, the subjects fail to achieve anything that is great." Manu's canon of taxation is that the king should fix the taxes in such a way as would enable both the king and the tax-payer to receive their due reward. 'As the leech, the calf and the bee take their food little by little, even so must the king draw from his realm moderate annual taxes.' He fixes one-eighth, one-sixth, or

^{1.} Ch. LXXI, 10 (Bombay Edn.). See also Ch. LXVIII, 27.

^{2.} Ch. CXXXVI, 2.

^{3.} Ch. LXXXVII, 16.

^{4.} Ch. LXXXVII, 20-21: Vatsaupamyena dogdhavyam rāshṭram akshīṇa buddhiṇā, mrito vatso jātabalaḥ piḍām vahati Bhārata. Na karma kurute vatso bhrisam dugdho Yudhishṭhiraḥ, rāshṭram apyatidugdhamhi na karma kurute mahat.

^{5.} VII, 128-129.

one-twelfth of the produce as the king's share of the crop; and one-sixth of trees, medicinal herbs, flowers, roots, fruits, pot-herbs, objects made of cane etc.¹ The Vishņu Samhitā enjoins the king to take one-sixth of the grain every year and one-sixth from herbs, flowers, roots, fruits, wood etc.² 'Of the mines, let him take the whole produce.² According to Nārada the customary receipts of a king included the sixth part of the produce.⁴ The Parāśara Samhitā also prescribes one-sixth of the produce as the king's share.⁵ The Chinese traveller Hiuen-Tsang tells us that the tenants of the royal domain paid one-sixth of the produce.⁶ But as a matter of fact the tenants of the royal domain sometimes paid more than one-sixth of the produce. The traveller apparently refers to the general custom.

§ 4. The Period of the Sukranīti. Sukra's canon of taxation is that the king should realise his revenues in such a way that the cultivators are not destroyed.....in other words, he should do so like the garland-maker, who does not destroy the flower plants, and not like the charcoal-maker, who destroys the tree. Apparently referring to the state lands, Sukra-

^{1.} VII, 130-132.

^{2.} III, 22-25 (SBE., VII, 16).

^{3.} III, 55. (SBE., VII, 19).

^{4.} XVIII, 48. (SBE., XXXIII, 221).

^{5.} Ch. II.

^{6.} Watters, I, 176.

IV § 2, 113; Harechcha karshakādbhāgam yathā nashto bhavenna saḥ Mālākāra iva grāhyo bhāgo nāngārakāravat.

^{8.} See Ch. IV § 6.

lays down that 'having ascertained the amount of produce from the measured plots of land, whether great, middling or small, the king should desire revenue and then apportion it among them.'1 The king is to realise one-third, one-fourth, or one-twelfth of the produce, according as the plots were irrigated respectively by tanks, canals and wells, by rain-water and by rivers; and one-sixth of the produce from the less fertile and rocky soil. Sukra enjoins the king to realise rents from houses and shops. He is also to take one-third, one-fifth, one-seventh, one-tenth or onetwentieth from the collectors of grasses and woods.4 He should not demand anything from people who cultivated new lands and dug tanks, canals, wells etc. for this purpose, until they realised twice the investment. From the mines the king is to realise half of gold, onethird of silver, one-fourth of copper, one-sixth of zinc and iron, half of gems, and lead, after the expenses have been deducted. It is further laid down that 'the ruler should realise his share of the produce from land according to Prajapati's system; but, in times of danger and difficulty, according to Manu's system,

^{1.} IV § 2, 112.

^{2.} IV § 2, 115-116.

IV § 2, 128: Grihādyādhāra-bhūśulkani krishţabhūmer ivāharet, Tathā chāpaņikebhyas tu paņyabhūśulkam āharet.

^{4.} IV § 2, 119-120.

^{5.} IV § 2, 121-122.

^{6.} IV § 2, 117-118.

not otherwise.' The difference between the two systems was about the measurement of land. According to Prajāpati 2500 cubits made one parivartana of land, whereas 3125 cubits made one such plot according to Manu. Manu's system of measurement being greater, the king's share of the produce out of land would be less than under Prajāpati's system.

§ 5. The North Indian Inscriptions on Taxation. So far as land-taxation is concerned, the epigraphic evidence from the North4 seems to show that the revenue was realised under two main heads, namely, 'Adaya' and 'Utpatti'. 'Adaya' apparently the same as 'Pratyādāya' or 'Pratyāyopanaya' or 'Adeya', included the 'Bhaga' or a share of the produce, probably the sixth part; 'Bhoga', that is, objects of enjoyment such as fruits, firewood, flowers etc. (Cf. Amanji, Echchoru etc. of the South Indian inscriptions); 'Kara', apparently a tax in money; 'Uparikara' probably some extra dues (Fleet however explains it as-'a tax levied on cultivators who have no proprietary rights in the soil'; gold (hiranya), either the right to gold-mines or a payment in gold; tolls (ghattādāya) and customs (such as taxes on salt or salt-mines) etc.

I, 209: Chaturbhūjaili samam proktam kashtabhūparivartanam, Prajāpatyena mānena bhūbhāgaharaṇam nṛipaḥ.

^{2.} I, 205-206.

^{3.} Cf. the evidence of a South Indian inscription referred to in MER., 1917-18, p. 165. See Ch. X, § 8.

^{4.} See Ch. VI § 3.

^{5.} Gupta Ins., 98 note 1.

'Utpatti' apparently implies the king's share (sulka) received from the buyer or the seller of land.¹ From a copper plate grant from East Bengal we learn that the king's share was one sixth of the price that a buyer paid for a piece of land.²

§ 6. The South Indian Inscriptions on Land-taxation and Land-revenue the Chola Administration. Though the South Indian inscriptions sometimes refer to the king's sixth part of the produce (as for example, in an inscription of the Kadamba king Sivamrigesavarman, dated about 450 A. D.), it was by no means the general rule. Custom regulated the assessment of taxes. Mānasollāsa lays down that the king should realise one-eighth, one-twelfth or one-sixth of the produce according to the nature of the cultivated fields and their yield (phalakshetranurupena).3 Generally speaking, the landtaxes in the South, and specially in the Chola empire, were apparently classified into two broad divisions, namely, the Kadamai (literally meaning taxes) paid in kind and the Kudimai (implying rights) paid in money. The Kudimai could however be commuted to payment in kind. These two comprised what was called the Mēlvāram or the superior share in contradistinction to Kilvaram or inferior share. The Melvaram and Kīlvāram were also respectively known as Mikātchi or

^{1.} Cf. Sukranīti, Ch. IV § 2, 213-215.

^{2.} Ind. Ant., XXXIX, 197.

^{3.} P. 44.

Miyātchi and Karānmai or Kārānmai. We take a few examples here to show the scale of taxes fixed in some cases under various heads. It should however be noted that the above named classification is not strictly maintained on account of the varying nature of the In a record of the reign of Rajendra Chola deva II (Kulottunga), dated 1072 A. D., we find the following scale of taxes fixed by a joint assembly of the people and a royal officer named Solamuvendavelar. "We, the inhabitants of the eighteen Vishaiya (districts). the great army of the right hand class armed with great weapons,2.....(including the farmers of the whole country), have caused a 'sasana' (edict) to be engraved on stone to the effect that there is to be no tax on cows and she-buffaloes; the government's share should be one-fifth of the produce of forest tracts and of lands in which dry crops are raised, and one-third of the produce of lands below a tank, on which paddy is grown; a cloth (? Pudavari) should be given to the government for every 1500 kuli of land on which 'Ku. mari' (or Kumri) is carried on by the Hill-tribes; the Jains (? Aśuvi-makkal) should pay one kāśu each for the minor tolls, and that, if they failed to do so, they should pay an additional kāśu; that, excepting the houses of the schoolmaster, the temple manager and the village watchman, and the houses which have paid

^{1.} See also Appendix A.

^{2.} This suggests previous oppression by the government officers. See § 7 of this chapter.

towards the minor tolls, one fourth kasu should be levied on every house; that the land should be measured with a rod of 18 spans, a span being equal to 12 fingers' breadth." Another Chola record dated 1057 A. D., similarly lays down a scale of taxes fixed by the inhabitants of a particular locality, and payable to a temple, but most of the portions important for our purpose is lost. We however learn from it that one-fifth of the produce of dry cultivation was given as melvāram. An inscription of Rājādhirājadeva of this Chola dynasty, dated 1046 A. D., records that the monarch gave away as gift to Brahmanas one-sixth of the produce of land, that he used to get as revenue. Another inscription of the same king dated 1050 A.D. records that he agreed 'to realise as the land-lord's share two-fifths of the wet crops and one-fourth of the dry crops in Mannai-nadu." This seems to refer to his own domain land. A Hoysala inscription of 1186 A. D. records that a minister, after having cleared a forest tract and setting up a town there, made it over as an 'agrahara; and 'to those who cut down the forest for the establishment of the town and built the tanks he made grants of land, to be rent-free for twelve years, and after that, ten 'salage' of rice-land rent-free; for the rest, the rent was to be divided' (properly between the crown and the donee, according to

^{-1.} EC., X, pp. 86-87 (Mulbagal Taluq, no. 49 a).

^{2.} EC., X, p. 104. (Mulbagal Taluq, no. 107).

^{3.} EC., p. 84 (Devanhalli Taluq, no. 75)

^{4.} EC., IX, p. 33 (Nelamangala Taluq, no. 25).

custom). An inscription dated 1325 A. D. gives us valuable information concerning the rates of some of the taxes. Two villages were in the possession of a certain individual, who however failed to pay the taxes, kadamai, antarayam and viniyogam (to the government) and left the lands fallow. Thereupon the temple authorities, who were evidently the overlords of the villages, took possession of the land after paying the kadamai, but could not improve the land. They leased out some dry lands, out of the above, for nilavaram, that is, for a share of the produce, and were enjoying the karanmai over them. Then, they sold the tanks and the lands under them to two brothers in presence of the king. The Kadamai, Antarayam and Ponvari⁸ taxes were to be paid in future to the temple (and not to the government) by the purchasers, for providing for the sacred bath and offerings to the god. These taxes were fixed as follows: the kadamai was to be paid in paddy at three kalam on every mā of land yielding forty kalam by the measure called kālakantan; the Antarāyam tax was paid in money and fixed at three-fourths and odd tiramam (dramma); the rates of kadamai and antarayam were fixed in kind at three-fourths of the above on the Arpasi-kuruvai (a paddy crop), and half on the Adikkuruvai (a paddy crop) and lands growing Varagu, and

^{1.} EC., V, p. 102.

^{2.} See Appendix A.

^{3.} See Appendix A.

one-fourth on lands yielding sesamum and Tinai; the viniyogam on every mā of land was one tuni of paddy. if wet, and one half tiramam, if dry; and the Vadakkadamai¹ was to be paid at 13½ Rāsippanam a year (according to the rate of the price then obtaining) and ½ panam on every mā of garden land growing plantain, ginger, turmeric or betel.² A record of Māravarman Vikrama-Pāndya (1283-1291), registering a tax free Devadana also lays down the rates of assessment. In assessing the lands the crops were to be first examined, and after exempting the waste lands and the chaff, the land was to be thus taxed: Seven kalam of paddy on every ma of land; five and one-fourth kalam of paddy on every mā of land, which produced Kuruvai paddy; three and half kalam of paddy sown in tula (that is, grown by irrigating with piccotas or baskets); one Diramam (tiramam or dramma) on each 16 mā of land growing gingelly, Varagu and Tinai; and onehalf dramma on each mā of land producing dry crops. An inscription of the Pandya king Jatavarman Sundara-Pāndya (1270-1310) fixes the mēlvāram at the following rates: one-third for pasan (a kind of rice reaped in April or May); one-fourth for Tinai, Varagu and Ellu; one-eighth for sugar-cane, Karunai, Mañjal (saffron), plantain, Valudalai, pumpkin and Kodikal and such other crops4. Another record of the same king

^{1.} See Appendix A.

^{2.} MER., 1923-24, pp. 110, 43 (no. 39).

^{3.} MER., 1915-16, p. 123.

^{4.} MER., 1915-16, p. 124.

fixes the melvaram at one-fourth, apparently on the total produce from different kinds of land. The variations in the rates of taxes were probably due to the quality of the soil.

From two inscriptions of the Chola king Rājarāja I (985-1013) we can form an idea of the amount of revenue the villages generally paid to the central government during the Chola administration²:

	Totalarea of the vil- lage or town in veli ⁸			Re v enue in kind ⁶	Revenue in money
1. Pālai- ytīr	134 and fractions	9 and fractions		12530 K., 2T., 1Kur 1N.paddy	1
2. Ārap- pār	III ,, ,,	हिन्द्रिक 3 ;; ;; नव्यपंत्र	107 ,, ,,	10745 K., 2T.,1P.,3 N.paddy	
3. Kīran- devan- ku ḍ i	42 ,, ,,	2 ,, ,,	40 ,, ,,	4070 K.,5 Kur., 5N. paddy	
4.Nāgank	22 ,, ,,	3 4 13 13	21 ,, ,,	2183 K.,5 Kur.,4N. paddy	

^{1.} MER., 1915-16, p. 124.

² SII., II, nos. 4, 5.

^{3.} Fractions have generally been omitted.

^{4.} K-kalam, T-tūni, Kur-kuruni, N-nāri, P-Padakku.

^{5.} Kl-kalanju or karanju, M-manjadi.

5	120 ,, ,,	5 ,, ,	115 ,, ,,	11526 K., Kur.,7N paddy	
6.Taṇṇī rkkunram	36 ,, ,,	2 ,, ,,	34 ,, ,,	3378 K., 1P.,4N. paddy	
7.Uchchi pāḍi	57 ,, ,,	I ¾ ,, ,,	55 ,, ,,	——K 1T., 4 N. paddy	
8.Kīr-Va- ḍugakku- ḍi	27 ,, ,,	(, , ,	26 ,, ,,	26—K paddy	
9. Kañjā · ranagar	6 ,, ,,	1 20 ,, ,,	6 ,, ,,	674 K., 2T.,1Kur 4N paddy	
10 Land in Uśikka ņņ angu d i	5 1, ,,	20 ,, ,,	5,,,	518K.,2T 2N.paddy	
11. Vađa viraiyānp allam	24 ,, ,,	6 20 33 33	23 ,, ,,	2393 K., 2T.,1 Ku1 5N.paddy	
12. Tirut teṅgūr (a town)	34 ,, ,,	4 ,, ,,	29 ,, ,,		297KL 4M.anc fract.
13. Arak- kanku ḍ i	7 ,, ,,	8 20 ,, ,,	6 ,, ,,	656 K., 7 Kur.,3N. paddy	
14. Piḍār- aśeri	5 ,, ,,	4 20 3, 23	5 ,, ,;	535 K., 2 T.,1P.,4 N. paddy	

ve Mana		1	1	1 7 3	
15. Maņa- rkālappa- lli	51,,,,	Ι ,, ,,	49 ",	-K.,2T., 3Kur.,1N paddy	
16.Nerk- uppai	39 ,, ,,	Ι,,,	37 ,, ,,	3722K., 5 N.paddy	
17. Maru- ttuvakku- ḍ i	30 ,, ,,	3 4 7 11	29 ,, ,,	2967 K.,2 T.,1 P., 2 N. paddy	
18. Vagaivellān, i.e. the cultivator's portion in Karuppūr	5 ,, ,,			549 K., 7 Kur., 4N. paddy	
19.Tirutte evankudi				29-K.2T. 1 N.paddy	
20. Kuru vāņiyakk- udi	46 ,, ,,		39 ,, ,,		304KL. 3M.and fract.
21. Anpa- n ūr	80 ,, ,,	4 ,, ,,	75 31 ,,	5850K., 2 T.,1 Kur 1N.paddy	
22 Īṅgai- yūr	45 ,, ,,	2 ,, ,,	42 ,, ,,	4278K. 3 Kur. 4N paddy	
23. Paṇa- maṅga lam	42 ,, ,,	Ι,,,,	40 ,, ,,	4072K., 1 Kur., 7N paddy	
24. Śātta- npā ḍ i	19 ,, ,,	4 20 7, 31	18 ,, "	1883K., 2 T., 3Kur paddy	

25	4 ,, ,,	3 20 ,, ,,	4 ,, .,	469K.,1T 1N. pad- dy	
26. Mān- doṭṭam	15 ,, ,,	3 ₹ 25, 57	14 ,, į,	1456K., 5 Kur., 7N. paddy	
27.Iraiyā nšeri	I2 ,, ,,	3 至 35 59	II ,, ,,	1169K., 2 T., 1 Uri paddy	
28.Veņ- koņkudi	50 ,, ,,	2,,,	48_,, ,,	4784K 2 T., 6N. paddy	
29. Māgā- niku d i	23 ,, ,,	9 20 ,, ,,	23 ,, ,,	2315K., 1 Kur. paddy	
30.Siru- Semburai		7 20 11 11		612 K., 1 P. paddy	
31. Tarai yūr	152 ,, ,,	3 ,, 1,	149 ,, ,,	14888 K. 1T.,1 P.,1 N. paddy	
32.Kāri- maṅga- lam	II ,, ,,	7 20 ., .,	11 ,, ,,	108 3 K., 5 N. paddy	
33. Venni	21 ,, ,,	4 ,, ,,	17 ,, ,,		93Kl. 3 M .and fract.
34. Pūda- maṅga- lam	25 ", "	1 11 17	25 ,, ,,		246½ Kl. and fract.

35. Mīdu veli	3 ,, ,,	4 20 ,, ,,	3 ,, ,,		30¼Kl., and fra- ctions
36.Nagar- akkāriku- richchi	2 31 3,				28K4. 9 M. and fract.
37.Va ḍ a- tāmarai	6 ,, ,,	2 20 ,, ,,	6 ,, ,,		643Kl,. 1 M.and fract.
38. Veņņi Tirappā- npaļļi.	10 ,, ,,	$2\frac{1}{2}$,, ,,	73,,,,		77¾Kl., 1 M.
39.Kodi-" manga- lam	53 52 54	2 ,, ,,	50 ,, ,,	5051K., 2 T3Kur., 4N.paddy	
40.Venel- vidugu- Pallava- puram.	27 ,, ,,	्राम्य (7-5-1) न्यापः	त्र <mark>20 , ' ,</mark> ,		167½Kl 3M.and fract.

The measurements of land given in the records are very minute involving huge fractions. To form an idea of the accuracy, with which the records were kept, we may take an example. In connection with village No. 1, the following is stated to be the area of the whole village:

$$134\frac{8}{20} + \frac{1}{320} \left(\frac{3}{4} + \frac{3}{20} + \frac{1}{40} + \frac{1}{160} + \frac{1}{320} \right) + \left(\frac{1}{320} \right)^{2} \times \frac{4}{20} = 134\frac{66405790}{63840000}.$$

The tax-free area was

$$9^{\frac{1}{80}} + \frac{1}{160} + \frac{1}{320} + (\frac{1}{320} \times \frac{1}{2}).$$

The taxable area was

 $125_{20}^{7} + \frac{1}{40} + \frac{1}{320} + \frac{1}{320} + \frac{1}{320} \left(\frac{8}{20} + \frac{1}{40} + \frac{1}{160} + \frac{1}{320} \right) + \left\{ \left(\frac{1}{320} \right)^{3} \times \frac{4}{20} \right\}$ Taking one kalam as equal to three maunds1 (or about 240fbs.), we learn that the maximum revenue paid by a village (No. 31) was over 44664 maunds of paddy and the minimum over 1407 maunds (paid by village No. 25). The above table also shows that the amount of revenue per vēli (1 vēli=62 acres) of land on the average was about 100 kalam of paddy, although in some cases it varied from about 50 to 80 kalam. was true only with regard to very fertile lands, for, there were lands in South India which produced on the average only 35 kalams of paddy per year per vēli.2 The amount of revenue paid in kind can also be calculated in terms of Kalanju, for, we know that 13½ kalams of paddy sold for one kalanju in the eleventh century A. D.

§ 7. Oppressive Taxation. Oppressive taxation and the consequent desertion of villages seem to have been known in India from a very early time. The Mahāsupina Jātaka makes reference to a bad time when the 'world shall decay; the kingdom shall grow weak, its kings shall grow poor and niggardly. The foremost among them shall have no more than 100,000 kāhāpana in his treasury. Then shall these kings in their need set the whole of the country-folk to work for them; for the king's sake shall

^{1.} See Appendix B.

^{2.} MER., 1912-13, p. 105.

^{3.} MER., 1915-16, p. 117.

^{4.} I, p. 399 (tr. 1, no. 77).

the toiling folk, leaving their own work, sow grain and pulse, and keep watch and reap and thresh and garner; for the king's sake shall they plant sugarcanes, make and drive sugar-mills, and boil down the molasses; for the king's sake they shall lay out flowergardens and orchards, and gather in the fruits. as they gather in all the diverse kinds of produce, they shall fill the royal garners (koţthāgāram) to overflowing not giving so much as a glance at their own empty barns at home.......These kings shall hunger after riches and wax fat on bribes; they shall not show mercy, love and compassion towards their people. but be herce and cruel, amassing wealth by crushing their subjects like sugarcanes in a mill and by taxing them even to the uttermost farthing (nanappakarehi balim uppādetvā). Unable to pay the oppressive tax, the people shall fly from village and town and the like.' Although this is given as an imaginary picture the description is so vivid as to give the reader an impression that it had a realistic background. According to the Mahāpingala Jātaka a king of Benares oppressed his people with taxes and fines (dandabali) and crushed them as it were sugarcane in a mill (uchchhum viya janam pilesi). The Gandatinda Jataka, referring to a Panchala king, tells us: 'His subjects being oppressed by taxation (balipīlatā) took their wives and families and wandered in the forest like wild beasts; where once stood villages, there now were none."

^{1. 11,} p. 240.

^{2.} V, p. 98 (no. 520).

The Mahā assāroha Jātaka also records a similar case of oppression. We are told that a king of Benares increased the taxes of the villages three times (evain dutiyam pi tatīyam pi balim vaddhāpesi), so that it became oppressive and the people could not lift up their heads.¹

So far as our period is concerned, we note that the state was very seldom prepared to undergo any loss of revenue. In hard times such as famines this proved very oppressive. The order of King Rajaraja Chola I with regard to the realisation of the revenue, was that the village assembly must confiscate and sell the land of the defaulters.2 From an inscription we learn that the assembly of Nripatunga-Jayatangi-chaturvedimangalam received an order of the king from the Adhikarin to the effect that the property of those who ran away without paying the fines imposed upon them, was to be sold away for any price it could fetch, and the money credited to the 'talam' (temple treasury?) at Kachchippēdu after obtaining a receipt. This order was communicated in turn to the Sabhai of Tirunārāyanachcheri, a hamlet of the village, whereupon a certain Kilākkil Avanipa-bhatta was deprived of his 'Bhattasvam' (a kind of Brahmadeya), which was sold to the temple of Mahāśāstā.3 In one case, we learn that in default of payment of taxes the members of a

^{1.} III, pp. 9-10.

^{2.} SII., III, no. 9.

^{3.} MER., 1922-23, pp. 103-104.

village assembly were imprisoned and had, thereupon to sell 80 vēlis of land in their possession. One record tells us that a registered tenant of a certain land, having run away and his friends who stood personal surety for him being asked to pay the taxes, which had fallen into arrears until the twenty-second year of the king, they got the houses and fields of the tenant to be sold to the temple and redeemed their responsibility in the transaction." An inscription of Kulottunga I of the Chola dynasty records an order of the king to the effect that the holdings of those tenants, who had not cleared their dnes by the forty-seventh year of his reign, must be sold to any purchasers that would buy them. Accordingly the lands of some Brahmana tenants who were unable to pay the taxes, were sold to a temple. In all these cases the government was probably within the bounds of law and morality. But we also hear of cases in which the government became too exacting. A record of the reign of Kulottunga III tells us that in the thirty-seventh year of the reign of that monarch the crops failed at Tirukkachchür, and 'the troubles in connection with the payment of taxes became great.' The inhabitants of the village thereupon borrowed twenty-five kāśu from an individual to pay the government taxes on their holdings. The poor people, we are told, had also to allow the same indi-

^{1.} MER., 1912-13, p. 109.

^{2.} MER., 1910-11, p. 79.

^{3.} MER., 1909-10, p. 92.

vidual the enjoyment of their common land in lieu of the interest on the borrowed capital. Another Chola record tells us of a similar pathetic case. A big flood having destroyed a village and its crop-bearing fields. the villagers failed to pay their dues to the government. Thereupon they were forced to sell 2000 kuli of their land including the 'wet land, margins between rice-fields, forests, barren land, high land, trees overground and wells underground,' to a certain individual for twenty-five kāśu. But the troubles of the villagers were not yet over. Next year too they had to sell 4250 kuli of their dry lands for twenty kāśu in order to tide over the difficulties.2 Violence of various kinds also appear to have been committed for the realisation of the government dues. An order of king Rajadhiraja II of the Chola dynasty forbade the stateofficials to enter any dwelling houses or to levy any illegal fine. Besides, one cultivator was not to be made responsible for the dues of another,3

A few inscriptions of a later date throw some interesting light on the subject. An inscription of the time of Devaraya II of Vijayanagara, dated about the middle of the fourteenth century A. D. seems to record a compact between the Valangai and the Idangai (that is, the Right hand and the Left hand) castes to the effect that they would inflict corporal punishment on

^{1.} Ibid., pp. 95, 27 (nos. 274 and 279 of 1909).

^{2.} MER., 1899-1900, pp. 9-10.

^{3.} MER., 1918-19, p. 97.

those who would help the tax-collectors of the king and the Brahmana landholders in the collection of taxes by coercive methods, and on those who would consent to write the accounts.1 Another inscription of the same period records that the 98 sects of the Valangai and the 98 subsects of the Idangai formed a coalition against oppressive taxation, and because they did not tax us according to the yield of the crop but levied the taxes unjustly,.....we were about to run away. Then we realised that because we of the whole country (mandalam) were not united in a body, we were unjustly dealt with...... Hereafter we shall but pay what is just and in accordance with the yield of the crops, and we shall not pay anything levied unlawfully.'2 A third record of the same period tells us that the following rates of taxes were fixed by a joint assembly of the Nattavar (sheriffs) of Irungola, the Urar of Erumburparru, Vīragomapura-parru another place, the people of the 18 districts, the Kaikkolar, the Tandirimar, the Senaikkudaiyar, the Manrādis. Kanmālar, and the six classes of Kudis and the oil-mongers:

On one ma of wet lands, on which dry crops were cultivated, and on one ma of dry land, on which wet crops were raised, including the cultivation of plantains and sugarcane...... kalam of paddy on each mā.

^{1.} MER., 1917-18, pp. 163, 97 (no. 92). See also MER., 1915-16, p. 125. 2. MER., 1917-18, pp. 163-164.

On dry crops raised in wet lands...... tuņi of grain on each mā,

On dry lands...... tuni and 1 padakku on each mā,

On Kaikkolas..... paņam on each loom

On Śenaikkudaiyar......... paņam on each loom

On Manrāidis..... paņam on each kudi

On oil-mongers.......... paṇam each

On looms of the Paraiyas......... panam on each loom.

On the Koţţil of Veţţis....... panam on each koţţil²

Another inscription of Devaraya II dated 1429 lays down the rates of taxes as fixed by the residents of Parantaka nadu, the Valangai 98 subsects and the Idangai 98 subsects, who met in an assembly to save the district from ruinous taxation. It refers in this connection to a similar settlement reached by the inhabitants of the other nadus of Valudalambattu-usavadi. It was decided not to interfere with some specified lands which were rent-free, after classifying them as Pandara-vadai, Jīvita-parru, Adaippu, Otti,

^{1.} Such as eweeping the temples.

^{2.} MER., 1917-18, p. 164.

Guttagai or Śērvai. The following rates of assessment were levied on the other lands:

Objects of assessment	per vēli inclu-	Other taxes such as Kāṇikkai, Śammā- dam, Paṭṭavaṭṭam Kāṇikuḷi² etc. on each vēli.
Paddy fields. Uncultivated waste (brought under cultivation). Forest reclaimed.	50 kalam of paddy and 4 panam 40 kalam	20 paṇam 18 paṇam
Kadaippu lands and lands irrigated by baling water. Plantain and sugarcane gardens in wet land. Plantain and sugarcane gardens in padugai tākku. Marshes in which red lotus is grown.	20 kalam पुरुष्टि स्थापन नगरी	fo paṇam (including araśuperu, kāṇikkai etc). 50 paṇam (including the abovenamed taxes). 40 paṇam
Land producing turmeric, ginger, onions, garlic etc. Land producing brinjals, pumkin etc. Land producing Nelluparutti, castor-seeds, mustard. Bengal gram,		30 paṇam 20 paṇam

- 1. See Appendix A.
- 2. See Appendix A.

wheat, paddy etc. Land producing gram green pulse etc. Land producing sesamum (taxed for the first crop). Land yielding Vedikolundu. Land yielding Olimudu kolundu (taxed for the first crop). Every five areca palms yielding about 1500 nuts per tree. Every cocoanut palm yielding not less than 40 fruits per tree1. Every Jack tree yielding not less than 20 fruits per tree (other trees are not taxed). Each house of a villager.

Each house of a follower of the Tantra.
Each house of makka.
Verandahs with sloping roofs (Unoccupied houses were exempted).
Every Setti proprietor.

I paṇam

3 paṇam

200 paṇam

100 paṇam

1 paṇam, (including araśuperu)

½ paṇam

(lost)

3 paṇam, (including vilai-āśarudi, vāśalpaṇam etc.

1½ paṇam

1½ panam ¾ panam

3 paņam including arasupeņu, vaṭṭam, kāṇik-kai etc.)

^{1.} Tender trees which did not bear fruit, barren trees and trees in the backyard were exempted.

1			
Every Principal col-		4	paṇam
lector of tolls.			
Each weaver (kaikko-		4	paṇam
la) with one working			
loom.			
Each weaver with		2	paṇ am
one loom with one			
loom not working.			
Every shopkeeper		3	paṇam
who opens the shop in		_	•
his own house.			
Every (Śāliya) weaver	e=0000	9	paṇa m
for each loom.			•
Every judge.		5	paṇam
Each member on the		5 ½	panani
village council.		~	• •
Each lace loom in	up ^{ee} e	3	pa ņa ni
working order.	121 3 1 4 1	1	
Each lave loom not in	Africa Halles	13	paṇam
working order.			
Each blacksmith, car-		5	paṇam (inclu-
penter, gold-and silver-	A STATE OF THE PARTY OF THE PAR	di	ng kottu, kirru,
smiths.	स्त्रपंच नग्न	ar	superu kāni-
		kk	
Each Chief potter.		5	paṇam
Each Chief barber.		4	•
Each chief washerman.	1		paṇam
Each brazier.		6	pa ņ am
Each Chief oilmonger.	1		pa ņa m
Each member of the		1/2	panam
Paraiya caste (excep-] ~	1 T
tions being made in		1	
certain specified cases	1	1	
octiam specimen cases	1		

One-third of the produce will be charged as vāram on the kārpaśāna (that is, wet lands) and similar other lands, if, on inspection, they are found to have yielded one-fourth of the crop expected. It was further laid down that the tax-collectors should not increase the rate of taxation without the consent of the people of the realm (mandalam).

§ 8. Remission and Revision of Taxes. We have also cases on record where taxes were remitted or revised according to the exigencies of circumstances. A record of the reign of Rajaraja III of the Chola dynasty, dated about the close of the twelfth century A. D., states that the persons holding the lands of a certain temple having complained that the prevailing rates of taxes were oppressive and requested that these might be revised and fixed for the future, justice was duly done. A series of inscriptions, dated in the early part of the fifteenth century A. D., also related to remission and revision of taxes. According to one of these, in place of the old custom of payment of taxes both in kind and money, only the payment in kind was retained; in another we learn that as the Magadai-Mandala was given over by the king to the sheriffs (nattavar) of the country on receipt of a subsidy in lump sums (kanikkai), it was unlawful to demand 'kanikkai' in future years; in a third inscription we note that a length of two feet was added to the existing rod for measuring land on the ground that that would be advantageous to the taxpayer. The wet and the dry lands were measured

^{1.} MER., 1914-15, pp. 107-108.

^{2.} MER., 1917-18, p. 152.

anew with it. A fourth inscription lays down that the taxes, Kālvāśi and the Kaivilai-dhānyam, collected in excess of the prevailing rates, and the dues such as anuvarttanai, kovai-varttanai, adigara-varttanai and tațțāyakol, shall no more be collected, that 'dasabandha shall not be demanded, that varaparru paddy shall be measured into the granary of the villages, that kanikkai shall be obtained at the prevailing rate and that no tax shall be demanded. An early fifteenth century record tells us that the people of a particular country, having abandoned their abodes on account of severe taxation, the rates were changed. Two inscriptions of the Chola king Rajadhiraja II record some interesting facts regarding the reduction of taxes. on different kinds of land. So far as the Varisaipparru and Vārappārrus lands held by cultivators under lease from the temple were concerned, the following reductions were effected: Table and

TAXES HITHERTO PAID	TAXES HENCEFORTH TO BE PAID
80 kalams	70 kalams
75 ,,	65 ,,
70 "	60 "
60 to 45 kalams	55 to 35 kalams
40 to 30 ,,	35 to 25 ,,
25 kalams	21½ kalams
20 ,,	18 ,

^{1.} Ibid., 1917-18, pp. 165-166.

^{2.} Ibid., p. 165.

^{3.} The sense is not quite clear. These may refer to wet lands and dry lands.

Evidently, these two classes of land were subdivided into seven groups. It was also laid down that farmers cultivating lands under the classes Vellanparru, Devadana and Parapparru should take two fifths of the yield; farmers cultivating under Kudipparru (tenure) should take one-third of the produce; farmers using water baled from a source should take half of the produce; and farmers sowing broadcast green pulse and sesamum on the cultivable wastes should be entitled to half the produce. For lands cultivated with dry crops and for lands which had hitherto to pay a kadamai of 20 kāśu, only 17 kāśu should henceforth be taken. Those that had been paying from 18 to 10 kāśu should get a reduction of two kāśu, and from the kadamai of lands ranging from ten to five kāśu, two kāśu should be reduced. The royal command was also to the effect that no violence by way of levying fines or entering dwellings should be committed. Tenants not accepting these terms should be removed and replaced by others agreeable to the conditions.1 According to a Pandya record the people of Siguperuchchiyur and Kanrappur were very much reduced in circumstances and began to feel that life in the woods was preferable. Accordingly, a royal official issued to them an order fixing the rate of taxation as follows:

On every mā of land......(lost) kalam of paddy and 13/4 tiramam of 5 meni (?);

^{1.} MER, 1918-19, p. 97. See MER., 1915-16, pp. 141-143 for two very interesting records of the early sixteenth century.

On Arpasi-kuruvai and Sittirai-kuruvai.....hall of the above rate.

On lands irrigated by piccotas and on lands yielding Tinai, Varagu and sesamum.....one-fourth of the above rate.

On lands growing sugarcane.....the full rate.1 Another Pandya record tells us that, owing to the inability of the people to pay the revenue according to the old rates obtaining from the fifth year of the king Māravarman Tribhuvana-chakravarti, the standard of land measurement was altered in favour of the people. Whereas one ma was hitherto made up of 18 span (square), now 24 span was treated as equivalent to ½ mā and one 'mundirigai'. Similarly, in the payment of the antarayam tax on the chief produce, which appears to have been paid in tiramam (dramma), 'the value of tiramam was increased from five ma to seven mā of kāśu, and the standard grain measure was changed, namely from six kalam to seven kalam and three kuruni. The rates of taxes on the lands however continued in the same proportion as mentioned above. Allowance was made for the taxation only on the actual produce yielded by the lands.'2

§ 9. Progressive Taxation. The wise principle of fixing taxes on a progressive scale, specially with regard to the newly settled lands, was very well recognised. Thus a record of about the middle of the

^{1.} MER., 1923-24, pp. 107, 47, 48 (nos. 73, 91 of 1924).

^{2.} Ibid.

thirteenth century tells us that a village assembly. having bought a piece of land, let out a portion of it on permanent lease to a certain individual, in exchange for a fixed annual rent in paddy and money on every mā of cultivated land. It was also laid down that the lessee should pay, on every ma of waste land that he would bring under cultivation, at the rate of-I ma of achchu and I kalam f paddy for the first year, second .. " third 11 3 11 11 11 " fourth and the subsequent years. An inscription of a Vijayanagar king, dated 1402-3, records that some villages (parru) near Valuvur were lying fallow on account of the river Kaveri having overflowed its banks, washed away the demarcation mounds between fields and silted up the irrigation channels. The lands were now reclaimed and the tenants were rehabitated on the following progressive rates of taxation:

Half of the usual dues on cultivated lands for the first year,

Three-fourths of the usual dues for subsequent years. Half the usual rates as to kadamai, arasuperu, vāsalpaņam, āyam, pulvari and such other taxes for the first year.

Three-fourths (except in the case of pulvari, which remains the same) for subsequent years.

^{1.} MER., 1917-18, p. 155.

^{2.} MER., 1912-13, pp. 118-119.

Another epigraphic record tells us that the tenants (kuḍi) of twelve villages, having abandoned their tenements, probably owing to oppressive taxation, were induced to come back on the following progressive scale having, been granted:

A tax of 5 panam on each plough of dry land for the first year.

A tax of 10 panam on each plough of dry land for the subsequent periods.

A tax of 8 panam on every 100 kuli of wet land (apparently permanently).

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MER., 1912-13, p. 74 (no. 36). See also MER., 1922-23, p. 105.

APPENDIX A.

NOTES ON SOME TERMS USED IN CONNEC-TION WITH THE LAND-SYSTEM IN SOUTH INDIA...

- Adāya—Customs, toll. Kisamwar Glossary, 139. Alkūli—A tax paid in kind by the whole village. MER., 1920-21 pp. 100 34 (no. 503).
- Alugalsarakku—Fine for rotten drugs. SII., II, no. 22.
- Angādipāttam—Tax on bazars. SII., II, no. 22.
- Antarāya—Along with Kudimai (paid in money) implied dues payable on the produce of the land. These dues were Püppon, Panchavāram, Vēlikkāśu, Nīrvilai and Vetti. MER., 1912-13, p. 104. Antarāya was also paid in money. MER., 1923-24, pp. 110, 43 (no. 39).
- Antarāya-pūṭṭam—A charge on the land-produce. It was generally remitted in the case of temple-lands. MER., 1912-13, p. 105.
- Araivadai—A tax paid in kind by the whole village in an Ekabhoga village. MER., 1920-21, pp. 100, 34 (no. 509).
- Arasuperu—Dues paid to the watchman. MER., 1914-15, p. 107-8; 1921-22, p. 109.
- Ardhamānya or Ardhasvāsti—Lands assessed at half the usual rate, although the proportion is not strictly maintained, the share of the Government varying from one-tenth to three-fourths. Kisamwar Glossary, 91.

Ashṭabhoga—'A term used in deeds of conveyance of land to signify the free and unrestricted enjoyment of the eight products of the property alienated, namely, Siddhi (land cultivated), Sādhya (the products of land), Pāshāṇa (minerals), Nikshepa (property deposited in the land), Nidhi (treasure-trove), Jalāmṛita (water and its products), Akshiṇi (actual privileges) and Āgāmi (future rights) and privileges)? Kisamwar Glossary, 48.

Attukkirai —A tax or cess for boiling sugar-cane juice or palm-juice. Sil, III, 151.

Âya—Fees paid to the village servants. Mys. Ins., p. 77 note. Kisamwar Glossary, 140.

Chora-rajju-According to Kautilya 'Rajju' and 'Chora-rajju' were two kinds of taxes accruing from the country parts. (Tr., Bk. II, Ch. 6). We further note: 'Whatever of their (merchants') merchandise is stolen cr lost in the intervening places between any two villages, shall the Superintendent of Pasture lands make good. If there are no pasture-lands in such places, the officer called 'Chora-rajjuka' shall make good the loss. If the loss of merchandise occurs in such parts of the country as are not provided even with such security (a Chora-rajjuka), the people in the boundaries of the place shall contribute to make up the loss' etc. (Arth., tr., Bk. IV, Ch. 13). Meyer, in his German translation of the Arthasastra, takes 'Chora-rajju' a's punishment of thieves and 'rajju' as rope. Tr., p. 81, note 6). Chorarajju may also imply register of property recovered from thieves, of which a large part escheated to the king and his officials (rajjulekhā or rekhā, register). In the light of the Arthasastra 'Chora-rajju' may thus be taken as an official who was in charge of the register of thieves.

Dandāya—A tax realised by the village assembly from the Devadānas. MER., 1917-18, pp. 143, 33 (no. 362). It seems to imply fines as well.

Dāya—presents. Mys. Ins., p. 77 note.

Dāyadramma—Cash payment (?) EI., XIII, 14, 168.

Dasabandha—Land granted to a person for repairing or building a tank on condition of paying in money or kind one-tenth or some small share of the produce. See Ch. VI § 1 and Ch. VII § 10 of this work.

Echchôru—A kind of dues from land (literally, boiled rice). MER.', 1912 13, p. 104. In later times it implied a sort of 'daily batta paid to persons deputed on any account to the village by the officers of government." TTMR., p. 87, note. See also Ch. III § 3 of this work.

Êri-āyam—Dues paid by cultivators to the village assembly for the maintenance of tanks. MER., 1918-19, p. 96.

Êrippaţţi-Lands granted for the upkeep of tanks. MER., 1918-19, p. 94.

Ériyin-avasaram—Tank-dues. MER., 1921-22, p. 109. Ílaikkūlam—Fee on (bazars of?) betel leaves. SII., III, no. 151.

- Ilakkai—Apparently a local tax on land paid in kind. MER., 1914 15, pp. 107-108.
- Ilamputchi Tax on toddy drawers. SII., III, no. 151.
- Kadamai—Taxes paid in the shape of produce. MER., 1920-21, pp. 110, 34 (no. 509). When paid in money it was called Kāśu-kadamai SII, II no. 22.
- Kāṇikkai—Same as Kāṇikkuli, a tax paid in money on each vēli of land. MER., 1914-15, pp. 107-108. See also MER., 1917-18, pp. 165-166.
- Kāniyāṭchi—Proprietary right. TTMR., 23. MER., 1915-16, p. 69, no. 64.
- Kāniyāṭchi mānyam—Mirasidars' holding, which was free of all assessment. The Mirasidar is also called Kānikkārar, Karaikkārer or Kāniyāṭchikkārar. TTMR., p. 2 note.
- Kar-A kind of paddy. See Ch. VII § 5 of this work.
- Kārānmai or Karānmai (from Kārāļan, husbandman or sudra)—apparently the same as Kīļvāram or inferior share in contradistinction to Mēlvāram or superior share. MER., 1923-24 pp. 110, 43 (no. 39); 1908 9, p. 19 (no. 123). SII., III, no. 151. See also Ch. XI § 6 of this work.
- Kāval or Pādikāval—Village-watchmen's share of the emoluments. According to one record, four landholders granted to the watchmen of three villages the right of Kāval, which consisted of one bundle of hay and one kuruni of paddy on each mā of their holdings to each group of these watchmen separately, and of all other customary services

due from their tenants. See also Pādikāval.

Kiru-dere-Minor taxes. El., XIII, 14, 168.

Kiru-kula—Petty dues. Mys. Ins., p. 77, note. Sundry expenses. Kisamwar Glossary, 74.

Klripta-Fixed taxes. Arth., tr. Bk. II Ch. 6.

Kodagi—'Lands having an invariably fixed rent, not liable to any change on account of the seasons etc. and saleable'. Kisamwar Glossary. 91.

udimai—(See also Antarāya) Right to money dues on land. It might be commuted to payment in kind. MER., 19 0 21, pp. 100, 34 (no. 509).

Kudi-vāram-See Mēlvāram.

Kuppattam—Same as Svatantaram or Merai, that is, Mirasidar's grain fees. TTMR., p. 2.

ürrunel—A kind of dues on land. MER., 1912-13, p. 104.

Kusakkāṇam—A tax of one kāṇam due by the potter. SII., III, no. 151.

Manneya-Seigniorage. Mys. Ins., p. 77, note.

Manrupādu—Fee for maintaining justice. SII., III, no. 151.

Mānya—Land either liable to a trifling quit-rent or altogether exempt from any tax. See Ch. VI § 6 of this work.

Māvirai—Mā, or Māvu, twentieth part of anything (TTMR., p. 84) and irai, tax.

Mêlvāram—(lit. superior share). The share of the government in contradistinction to Kudi-vāram or the inhabitants' share of dues from land.

Miyātchi—Lit. superior control. SII., III, no. 151.

Muttaiyāl—A kind of dues payable on land in produce. MER., 1912-13, p. 104.

Nādu-kāval—(lit. watchmen of the district) Remuneration of the watchmen.

Nādātchi—Fee for the administration of the district. SII., III, No. 151.

Nallā-Fee on good cows. SII., III, no. 151.

Nallerudu-Fee on good bull. SII.. III, no. 151.

Nattu-vagai—(Settlement duties) the share of the district as tax. SII., II, no. 73.

Nîrküli-Water-rate. SII., III, no. 151.

Nîrvilai-See Antaraya.

Odakkuli-boat tax. SII., III, no. 151.

Odukkum-padi—A fiscal charge (aya) on land. SII., II, no. 22.

Olukkunir-pättam—Tax on water-courses. SII., II,
No. 22.

Pāḍi kāval—Remuneration of village-watchmen. According to one record it was at the rate of one kalam of paddy on every mā of wet-land and one panam on the same area of dry land, one-sixteenth paṇam on every areca palm, five paṇam on every mā of land producing sugarcane, ginger etc., and two paṇam a year on every house (vāśal). MER., 1921-22, p. 106. See also Vāśal-paṇam and Kāval.

Palli—Dues paid in kind by the whole village. MER., 1920-21, pp. 100, 34 (no. 509).

Panchavāram—A tax realised apparently in the shape of paddy from the Devadāna or Brahmadeya lands.

MER., 1917-18, pp. 143, 33 (no. 362).

Parakudi (Purak kudi)—See Ulkudi.

Pattagadde—'Patches of land held by the ryots of one village in another, not as foreign cultivators but as a part and parcel of their own village; the origin of this tenure may be traced to an exchange of lands or to mutual agreements between cultivators of adjoining villages, to allow those of one to cultivate the wet-lands under the tank of another, constructed by the joint labour of all.' Kisamwar Glossary, 91.

Pattavattam—A tax on each veli paid in money. MER., 1914-15, pp. 107-108.

Pattigai—The share of the cloth (as tax). SII., II, no. 73.

Pindakara-Fixed taxes. Arth., 59-60.

Pitānāli-Some kind of toll. SII., III, no. 151.

Ponvari—A tax imposed by prince Yādavarāyar of the Chola dynasty uniformly on all lands (including even the waste) at one fourth māḍai per vēli. It was regarded as an arbitrary tax. MER., 1912-13, p. 109.

Pudavai-mudal-See Puravuvari

Puțțagam—the price of cloth (as tax), SII., II, no. 73. Puppon—See Antaraya.

Puravuvari—(lit. revenue register). Taxes under this head were Veţţi, Puḍavai-mudal, Tiraikkāśu, Āśuvigalkāśu, Kuḍi-kāśu, fee levied on drummers and on looms, Inavari-kāśu, Kāttigai-kāśu, Velichchin-

- nam, Veţţi-kāśu, Śirupāḍikāval on lands growing gingelly and cotton, grain (tax) for supervision (kapkāṇi), Kurra-daṇḍam, Paṭṭi-daṇḍam, Kārtiga-kāśu
 on oil-mongers, fee on dyers and Ariśi-kāśu on
 salt-pans. MER., 1912-13, pp. 111-112.
- Sabhā-viniyogam—Share of the produce for the maintenance of the village assemblies. SII., III, no. 151.
- Sammādam A tax in money on each vēli of land. MER., 1914-15, pp. 107-108. It also implies 'a contract or commutation made by a merchant with the officers of excise.'
- Sillirai—(lit a petty tax). A tax levied by the village assembly on the temple land. MER., 1917-18, pp. 143, 33 no. 362).
- Siddhāya—A tax realised by the village assembly from the Dēvadāna lands. MER., 1917-18, pp. 143, 33 (no. 362). It also implies fixed assessment in accordance with the revenue records. EI., XIII, 14, 168.
- Talaiyārikkam Dues paid to the village watchmen. 1921-22, p. 109.
- Tandal—The tax on collecting rent. SII., III, no. 57. Tarippudavai or Tari-irai—Tax on looms paid in cloth. SII., II, no. 22.
- Tattārpāttam—Tax on goldsmiths. SII., II, no. 22 and III, no. 151.
- Toranakānikkai—The king used to get a tax of this name from the villages (SII., II, no. 22 and III, no. 151) probably on certain festivals.

Tôttappuravu—Tax on garden lands. SII., III, no. 151. Udupôkku-Right of digging canals. SII., III, no. 151. Ulaviyakkuli-The hire of well-diggers. SII., II, no. 99. Ulavu kāni-Or Kāniyātchi, granted by the treasurer, the temple trustees, the Mahesvaras etc. of a temple, 'consisted of a permanent lease of an uncultivated waste, which the lessee was authorised to reclaim and to settle to grow crops that suited him, wet or dry,...and after doing this to pay the taxes in gold and in grain, such as Vāśalkadamai, Pēr-kadamai, Tarikkadamai, Sekkottu, Eruttuśammadam, Madarikkam, Talaiyarikkam, Aśuva kkadamai, Pattadai nūlayam, Idatturai, Vetțivari, Polavari (?) and Puduvari (that may be enforced by the village), Nullerudu, Narpaśu (good cow), Nallerumai (good buffalo), Narkida (good ewe), Konigai (?), Edakkattāyam (?), Viruttuppādu, Udugarai and Mugamparvai (nazarana) MER., 1912-13, p. 122,

Ulkudi—Village labourers employed to cultivate the land of the Mirasidar, in contradistinction to Paracudi (purakkudi), that is, foreign cultivators. TTMR., p. 23.

Umbali—A kind of rent free holding. 'Lands held by village servants on condition of services and subject generally to the payment of the 'jōdi' (1 or 1 of the gross value of the produce); rent-free land given for eminent services.' Kisamwar Glossary, 91.

Uppāyam-Salt tax SII., II, no. 22.

Urai-nāri-A kind of fiscal charge. SII., II, no. 22.

- *Ūrāṭchi*—Fee for the administration of the village. SII., III, no 151. See Nādāṭchi.
- $\overline{U}r$ -kalanju—Probably fee for the use of some government standard of weight. SII., III, no. 151. ($\overline{U}r$, a town and Kalanju a weight of gold).
- Ur Kāval rights of the Nāṭṭār of a nādu consisted in their receiving a śēlai (cloth) from each first marriage among the Kallar makkal. MER., 1910-11 p. 80.
- Vādāk-kadamai—appears to be kudimai paid in money. MER., 1923-24, pp. 110, 43 (no. 39).
- Vāram—(Lit. division). 'A tenure under which an equal division of the produce is made between the landlord and the the tenant, the former paying the assessment to the government: Kisamwar Glossary, 96.
- Vārapet—(same as Vārapperru), "from Vāram, field produce, or a share of it; whence Udai-vāram, the whole produce, Mēlvāram, the share of the government, and kuḍivāram the share of the cultivator,... signifies properly land from which the revenue is received in kind in contradistinction to Tīrvaipet, land on which a fixed money-rent is paid: T TMR., p. 2, note. The term is used in opposition to Mānyam to designate land paying revenue.
- Vannārappārai—Tax on the washerman's stone. SII., III, no. 151.
- Vali-ayam-Tolls. SII., II, no. 22.
- Vāśal-paņam—A money-tax on each house for watch-

- men. MER., 1914-15, pp. 107-8. See also Padi-kaval.
- Vațținăli—The toll of a năli on each basket. SII., III, no. 151.
- Vêlikkāsu-See Antarāya.
- Vetti—Or Vishți. Kauțilya defines Vishți as including sweepers preservers, those who weigh things (dharaka), those who measure grain etc; those who supervise the supplies of commodities (dāyaka); those who are employed to receive compensation for any real or supposed error in measuring grains etc. (salākāpratigrāhaka); slaves and labourers.' Artha., tr., Bk. II, ch. 15, (Orig., p. 97).
- Vettikkāsu—A money tax. According to one record it was at the rate of five kāśu on each village. MER., 1921-22, p. 104.
- Vilai-asarudi—A tax paid on each house. MER., 1914-• 15, p. 107-8.
- Viniyogam—According to one record it was a tax paid at the rate of one tuni of paddy on every mā of land. MER., 1921-22, p. 104; and 1923-24, p. 110.

APPENDIX B.

- 5 Śevidu=1 Alakku
- 2 Alākku=1 Ulakku
- 2 Ulakku=1 Uri
- 2 Uri=1 Nali or Padi
- 8 Nāli or Padi=1 Kuruņi or Marakkāl
- 2 Kuruni=1 Padakku
- 2 Padakku=1 Tuni
- 3 Tūņi=1 Kalam

=3 Maunds

SII., II, p. 48, note 5.

1 Vēli=6² Acres.

Ancient India (Iyengar), pp. 182-3.

वक्षपंत्र तयने

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(N. B. The English alphabetical order has generally been followed, but in arranging the Sanskrit and Prakrit words, words with short vowels have been put before those with long vowels.)

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